# TRADEMARK ASSIGNMENT

# Electronic Version v1.1 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	MERGER
EFFECTIVE DATE:	06/30/2011

# **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Oktex Baking, LP		106/30/2011	LIMITED PARTNERSHIP: OKLAHOMA

# **RECEIVING PARTY DATA**

Name:	Fehr Foods, Inc.	
Street Address:	5425 North First Street	
City:	Abilene	
State/Country:	TEXAS	
Postal Code:	79603	
Entity Type:	CORPORATION: TEXAS	

# PROPERTY NUMBERS Total: 3

Property Type	Number	Word Mark
Registration Number:	0717973	SUN VALLEY
Registration Number:	1108165	SUN VALLEY
Registration Number:	3739404	TRU-BLU

# **CORRESPONDENCE DATA**

Fax Number: (214)661-6609

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Phone: 214-953-5902

Email: cbutzeripdocket@jw.com

Correspondent Name: Carl C. Butzer

Address Line 1: 901 Main Street, Suite 6000 Address Line 4: Dallas, TEXAS 75202

ATTORNEY DOCKET NUMBER: 45913.34

TRADEMARK
REEL: 004575 FRAME: 0308

\$90.00

NAME OF SUBMITTER:	Carl C. Butzer
Signature:	/Carl C. Butzer/
Date:	07/05/2011
Total Attachments: 4 source=OktexMerger#page1.tif source=OktexMerger#page2.tif source=OktexMerger#page3.tif source=OktexMerger#page4.tif	

# OFFICE OF THE SECRETARY OF STATE



# **CERTIFICATE OF MERGER**

WHEREAS,

#### FEHR FOODS, INC.

a corporation organized under the laws of the State of TEXAS, has filed in the office of the Secretary of State duly authenticated evidence of a merger whereby said corporation is the survivor, as provided by the laws of the State of Oklahoma.

NOW THEREFORE, I, the undersigned Secretary of State of Oklahoma, by virtue of the powers vested in me by law, do hereby issue this Certificate evidencing such merger.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Oklahoma.



Filed in the City of Oklahoma City this 29th day of <u>June</u>, 2011, .

Secretary Of State

06/29/2011 04:10 PM OKLAHOMA SECRETARY OF STATE





ARTICLES OF MERGER
of
OKTEX BAKING GP, LLC
(a Nevada limited liability company)
and

OKTEX BAKING, LP
(an Oklahoma limited partnership)
with and into
FEHR FOODS, INC.
(a Texas corporation)

Pursuant to Section 500-1108A of the Uniform Limited Partnership Act of 2010 (the "2010 ULPA"), the undersigned parties submit these Articles of Merger and hereby certify as follows:

#### ARTICLE ONE

#### MERGING ENTITY INFORMATION

The name, organizational form, and state of organization for each entity that is a party to the Merger (defined below) are as follows:

- 1. Fehr Foods, Inc., a Texas corporation (the "Surviving Entity"). The Surviving Entity was organized as a corporation in the State of Texas on February 13, 1992. The principal place of business of the Surviving Entity is at 5425 North First Street, Abilene, Texas, 79603. The Surviving Entity will survive the merger.
- 2. Oktex Baking GP, LLC, a Nevada limited liability company (the "Oktex GP"). Oktext GP was organized as a limited liability company in the State of Nevada on October 12, 2004. The principal place of business of Oktex GP is at 5425 North First Street, Abilene, Texas, 79603. Oktex GP will merge into the Surviving Entity and will not survive the Merger.
- 3. Oktex Baking, LP, an Oklahoma limited partnership ("Oktex LP," and together with Oktex GP, the "Terminating Entities"). Oktex LP was organized as a limited partnership in the State of Oklahoma on October 12, 2004. The principal place of business of the Oktex LP is at 600 N. Highway 77, Marietta, Oklahoma, 73448. Oktex LP will merge into the Surviving Entity and will not survive the Merger.

#### ARTICLE TWO

#### AVAILABILITY OF PLAN AND AGREEMENT OF MERGER

An executed Plan and Agreement of Merger with respect to the Merger reflected hereby (the "Plan and Agreement of Merger") is on file at the principal place of business of the Surviving Entity. Upon written request, a copy of the Plan and Agreement of Merger will be furnished without cost by the Surviving Entity to any owner or member of any domestic entity that is a party to the Plan and Agreement of Merger.

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OKLAHOMA SECRETARY OF STATE

CERTIFICATE OF MERGER (OKLAHOMA)

# ARTICLE THREE

# AMENDMENT TO ARTICLES OF INCORPORATION

Pursuant to the Plan and Agreement of Merger no amendment will be made to the Articles of Incorporation of the Surviving Entity.

#### ARTICLE FOUR

#### APPROVAL OF THE MERGER

- 1. Pursuant to the Plan and Agreement of Merger, the Terminating Entities will merge into the Surviving Entity (the "Merger"). The Surviving Entity approved the Merger as required by the Texas Business Organizations Code.
  - 2. Oktex GP approved the Merger as required by the Nevada Revised Statutes.
  - Oktex LP approved the Merger as required by the 2010 ULPA.

#### **ARTICLE FIVE**

#### **EFFECTIVENESS OF FILING**

The Merger is to become effective at 11:59:00 PM CDT June 30, 2011 (the "Effective Time"). At the Effective Time, the separate existence of the Terminating Entities shall cease, and the Surviving Entity shall survive the Merger. It is intended that this merger shall not occur until after the merger contemplated by that certain Plan and Agreement of Merger dated June 30, 2011 by and between Fehr Holdings, LLC and Fehr Foods, Inc. becomes effective.

#### ARTICLE SIX

#### **TAXES**

The Surviving Entity shall assume and be responsible for the payment of all fees, franchise taxes and federal taxes as may be due or required by law relating to the Terminating Entities and will be obligated to pay such fees and taxes if they are not timely paid.

[Signature page follows.]

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CERTIFICATE OF MERGER (OKLAHOMA)

The undersigned executes these Articles of Merger subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument.

EXECUTED as of the 30 day of June, 2011.

OKTEX BAKING GP, LLC

By: MUJWM Name: <u>MIJW Horwo</u> Title: MWHALK

OKTEX BAKING, LP

By: Oktex Baking GP, LLC, its general partner
By: Mun W M
Name: Might Moreno
Title: Manager

FEHR FOODS, INC.

By: My W M Miguel Moreno, its President

I Colleen Lahr being the Secretary of Fehr Foods, Inc. attest that the above person is the President of Fehr Foods, Inc., and that he is duly authorized and empowered to execute these Articles of Merger and that the signature above is his true and correct signature.

y: Colleen Dahr, its Secretary

CERTIFICATE OF MERGER (OKLAHOMA)

RECORDED: 07/05/2011

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