

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Aldi, Inc.		04/30/2012	CORPORATION: ILLINOIS
RECEIVING PARTY DATA			
Name:	Buehler Food Markets, Incorporated		
Street Address:	1401 Old Mansfield Road		
City:	Wooster		
State/Country:	OHIO		
Postal Code:	44691		
Entity Type:	CORPORATION: OHIO		
PROPERTY NUMBERS Total: 2			
Property Type	Number	Word Mark	
Registration Number:	2201332	BUEHLER'S	
Registration Number:	2667946	BUEHLER'S	
CORRESPONDENCE DATA			
Fax Number:	5136985079		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i>			
Phone:	513-698-5078		
Email:	mburchfield@ulmer.com		
Correspondent Name:	Michael A. Marrero		
Address Line 1:	600 Vine Street		
Address Line 2:	Suite 2800		
Address Line 4:	Cincinnati, OHIO 45202-2409		
ATTORNEY DOCKET NUMBER:	32197-036		
NAME OF SUBMITTER:	Michael A. Marrero		
Signature:	/Michael A. Marrero/		

OP \$65.00 2201332

TRADEMARK

Date:

05/09/2012

Total Attachments: 2

source=Aldi__To__Buehler_Assignment#page1.tif

source=Aldi__To__Buehler_Assignment#page2.tif

TRADEMARK ASSIGNMENT AGREEMENT

April THIS TRADEMARK ASSIGNMENT AGREEMENT ("Agreement") is executed effective the 30th day of ~~March~~, 2012, by ALDI INC., an Illinois corporation with an address of 1200 North Kirk Road, Batavia, Illinois 60510-1479 ("Aldi"), and BUEHLER FOOD MARKETS, INCORPORATED, an Ohio corporation with an address of 1401 Old Mansfield Road, Wooster, Ohio 44691 ("Buehler").

R E C I T A L S

- A. Aldi is the owner of the trademarks that are the subjects of Registration Numbers 2,201,332 and 2,667,946 at the U.S. Patent & Trademark Office (hereinafter the "Trademarks").
- B. Aldi has agreed to assign to Buehler its entire right, title and interest in and to the Trademarks.

NOW, THEREFORE, for good and valuable consideration, the receipt, adequacy and sufficiency of which are hereby acknowledged, the parties hereto hereby agree as follows:

- 1. **Assignment.** Aldi does hereby assign to Buehler all of its right, title and interest in and to said Trademarks, together with the goodwill of the business symbolized by said Trademarks and the right to sue for past, present and future infringements of the Trademarks and the right to collect and own any monetary or other damages as a result thereof.
- 2. **No Third Party Beneficiary.** None of the provisions in this Agreement shall be deemed to create any rights in any third party.
- 3. **Successors and Assigns.** This Agreement and the covenants and agreements herein set forth shall inure to the benefit of Buehler and its successors and assigns and shall be binding upon Aldi and its successors and assigns.
- 4. **Headings and Recitals.** Headings herein are provided for the convenience of reference only and shall not be deemed to constitute a part thereof. The Recitals to this Agreement are an integral part of this instrument and are incorporated herein by reference.
- 5. **Miscellaneous.** This Agreement:
 - A. Shall be governed by and construed in accordance with the laws of the State of Illinois; and
 - B. May be amended or modified only by an instrument in writing duly executed by the parties to this Agreement.

6. Waiver. Any waiver by Aldi or Buehler of any breach of or failure to comply with any provision of this Agreement by the other party shall be in writing and shall not be construed as or constitute a continuing waiver of such provisions, or a waiver of any other breach of, or a failure to comply with, any other provision of this Agreement.
7. Counterparts. This Agreement may be executed in two counterparts which together shall constitute a single instrument.

IN WITNESS WHEREOF, the parties, intending to be legally bound, have caused this Agreement to be duly executed and delivered on their behalf by their duly authorized officers as of the date first written above.

ALDI INC.

By: _____

Jeff Bianchetto

Print Name

Group Director of Corporate Buying

Title

BUEHLER FOOD MARKETS, INCORPORATED

By: _____

Daniel R. Buehler

Daniel R. Buehler

Print Name

Director of Enterprise Operations

Title