## 900231477 08/20/2012

## 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
INTERNATIONAL PROVISIONS, INC.		04/26/2012	CORPORATION: CONNECTICUT

## **RECEIVING PARTY DATA**

Name:	HOWARD'S SNACKS, LLC	
Street Address:	6 HAMDEN PARK DRIVE	
City:	HAMDEN	
State/Country:	CONNECTICUT	
Postal Code:	06517	
Entity Type:	CORPORATION: CONNECTICUT	

## PROPERTY NUMBERS Total: 1

Property Type	Number	Word Mark
Registration Number:	3950626	HOWARD'S

## **CORRESPONDENCE DATA**

**Fax Number**: 2126589718

Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent

via US Mail.

Phone: 212-673-8350

Email: amy@benjaminlawpc.com

Correspondent Name: AMY J BENJAMIN

Address Line 1: 111 EAST 14TH STREET

Address Line 2: SUITE 469

Address Line 4: NEW YORK, NEW YORK 10003

ATTORNEY DOCKET NUMBER:	GERBER/HOWARD'S & DESIGN
NAME OF SUBMITTER:	AMY J BENJAMIN
Signature:	/amy j benjamin/
	TRADEMARK

900231477 REEL: 004845 FRAME: 0769

OP \$40.00 3950626

Date:	08/20/2012
Total Attachments: 5 source=EXECUTED Assignment of Howard's & Design Trademark#page1.tif source=EXECUTED Assignment of Howard's & Design Trademark#page2.tif source=EXECUTED Assignment of Howard's & Design Trademark#page3.tif source=EXECUTED Assignment of Howard's & Design Trademark#page4.tif source=EXECUTED Assignment of Howard's & Design Trademark#page5.tif	

## ASSIGNMENT OF TRADEMARK

Agreement made this 26th day of April, 2012 between INTERNATIONAL PROVISIONS, INC. a Corporation organized and existing under the laws of the State of Connecticut with offices at 13 Hamden Park Drive, Hamden, Connecticut, and hereinafter referred to as "Assignor," and HOWARD'S SNACKS, LLC, a Connecticut Limited Liability Company with offices at 6 Hamden Park Drive, Hamden, Connecticut, and hereinafter referred to as "Assignee."

#### WITNESSETH:

WHEREAS, INTERNATIONAL PROVISIONS, INC., with offices at 13 Hamden Park Drive, Hamden, Connecticut, is the owner of all right, title, and interest and has used in its business the trademark "HOWARD'S & Design", which mark is registered with the United States Patent and Trademark Office, Registration No. 3950626, dated April 26, 2011, and as more fully described in Exhibit "A" attached hereto (the "Trademark"); and

WHEREAS, HOWARD'S SNACKS, LLC, with offices at 6 Hamden Park Drive, Hamden, Connecticut, is desirous of acquiring the entire right, title, and interest in and to the said Trademark, the registration thereof, and in and to any registrations, renewals, and extensions that may be granted thereon, together with the goodwill of the business connected therewith; and

WHEREAS, pursuant to a certain Purchase and Sales Agreement entered into on December 23, 2011 between Assignor and Assignee, Assignee has agreed to purchase and Assignor has agreed to sell certain assets of Assignor including the aforementioned trademark, which agreement is incorporated in full herein by reference; and

NOW, THEREFORE, the parties, for good and valuable consideration, the receipt whereof is hereby acknowledged, mutually agree as follows;

## 1. Assignment of Trademark

Pursuant to the Purchase and Sale Agreement entered into on December 23, 2011 between Assignor and Assignee, Assignor has sold, assigned, transferred, and by these presents does hereby sell, assign, and transfer unto the said Assignee all right, title, and interest in said Trademark registrations and in and

to any registrations, renewals, and extensions that may be granted thereon, together with the goodwill of the business connected herewith and any right to recover for past infringement.

#### 2. Warranties

- A. Assignor warrants and represents to Assignee that it is the sole owner of all right, title, and interest in and to the Trademark and the Trademark registration.
- B. Assignor further warrants and represents that there is no pending or threatened litigation involving the Trademark, and that Assignor neither knows nor has reasonable grounds to know of any basis for any such action, or of any claim by any party as to ownership, claim, or right to use the said mark.
- C. Assignor further warrants and represents that neither Assignor, its Members, the family of said Members, nor any affiliates of Assignor have registered any trademark similar in name or style to the Trademark.

International Provisions, Inc.

By: Charles Leroux Vice President

Duly Authorized

State of New York County of www.

SS

On the 26th day of April, 2012, before me, the undersigned, appeared Charles Leroux, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or person upon behalf of which the individual acted, executed the instrument.

Notary Public

HARRY SCHOCHAT

Notary Public, State of New York
No. 02SC6120508

Qualified in New York County

Commission Expires April 27, 2013

# EXHIBIT A

REEL: 004845 FRAME: 0773



## United States Patent and Trademark Office

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## Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Wed Apr 25 04:35:47 EDT 2012

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Please logout when you are done to release system resources allocated for you.

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Record 2 out of 18

ASSIGH Status TARR Status

TTAB Status TOR

( Use the "Back" button of the Internet

Browser to return to TESS) "Howard's



**Word Mark** 

**HOWARD'S** 

Goods and Services

IC 029. US 046. G & S: Meats, namely, sausages, fried pork skins, fried pork rinds, pork cracklings, fried chicken skins, souse loaf in the nature of baked meat and pork and liver loaf in the nature of

baked liver. FIRST USE: 19771028, FIRST USE IN COMMERCE: 19771028

**Mark Drawing** 

Code

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search 07.13.02 - Advertising, signs, alone; Street signs not attached to a support 07.15.04 - Beams, wood; Lumber; Parquet flooring; Wood boards

Code

07.15.25 - Fiberglass; Floor tiles; Gravel; Shingles; Tiles

Serial Number 85113768

Filing Date

August 23, 2010

Current Basis Original Filing

Basis

1A

Published for Opposition

February 8, 2011

Registration

3950626

Number Registration

Date

April 26, 2011

Owner

(REGISTRANT) International Provisions, Inc. CORPORATION CONNECTICUT 13 Hamden Park

Drive Hamden CONNECTICUT 06517

Attorney of

Record

Harry Schochat, Esq.

Mark

Description of Color is not claimed as a feature of the mark. The mark consists of the word "HOWARD'S" in stylized font above a stylized rendering of a wooden frame comprised of a three concentric squares with two arched geometric shapes featuring various lines attached to the top all hanging from a vertical cylindrical shape resembling a piece of wood featuring various lining. The lining is a feature

of the mark.

Type of Mark

TRADEMARK

Register

**PRINCIPAL** 

Live/Dead Indicator

LIVE

TESS HOME NEW USER STRUCTURED FREE FORM DROWNED OF SEARCH OG Top Figst Doc Prev Doc Next Doc Last Doc

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**TRADEMARK REEL: 004845 FRAME: 0775** 

**RECORDED: 08/20/2012**