

DAVIS & BREWER
ATTORNEYS AT LAW

GILBE

12/19/2012

EDWARD Y. BREWER

12/19/12



103652977

December 13, 2012



US Trademark Office
PO Box 1451
Alexandria, VA 22313-1451

Re: Trademark Assignment by Midstate Mills, Inc. to JP Green Milling Co., Inc., Assignee/Registration Nos. 1359536 and 3536329

Dear Sir:

I am enclosing copies of the trademark assignments for two items originally filed by Midstate Mills, Inc. of Newton, NC, and sold outright with good will to our client, J.P. Green Milling Co., Inc., on or about November 14, 2012. A copy of the trademark assignment for both items is enclosed as forwarded to me by our client.

Information on J.P. Green Milling Co., Inc. is as follows: J.P. Green Milling Co., Inc., a North Carolina corporation, 496 Depot Street, Mocksville, NC 27028. Telephone No. (336)751-2126. The responsible party is Ralph Naylor at that address. The assignor, Midstate Mills, Inc., can be contacted at PO Box 350, Newton, NC 28658, Attn. Steve Arndt.

Enclosed is our check in the amount of \$65 to cover the cost of two registrations and a copy of our Midstate's renewals. Please forward a copy of the completed assignment as it appears on your records to me or directly to Mr. Naylor.

Thank you for your assistance.

Sincerely yours,

Gilbert T. Davis, Jr.
Gilbert T. Davis, Jr.



12-17-2012

U.S. Patent & TMO/TM Mail Rpt Ct. #32

12/20/2012 HTON11 00000050 1359536

01 FC:8521
02 FC:8522

40.00 OP
25.00 OP

Dls

Cc: Ralph Naylor
Steve Arndt

Enclosures

104 STADIUM OAKS DRIVE, SUITE C
PO BOX 786, CLEMMONS, NC 27012
PHONE: (336) 766-8281 • FAX: (336) 766-8283
EMAIL: ed@davisandbrewer.com gil@davisandbrewer.com

TRADEMARK
REEL: 004938 FRAME: 0759

TRADEMARK ASSIGNMENT

This Assignment (the "Assignment") is made as of November 14, 2012 from Midstate Mills, Inc. ("Assignor") to J.P. Green Milling Co., Inc. ("Assignee").

WHEREAS, Assignor is the owner of the trademarks (the "Marks") as described on Exhibit A attached hereto and incorporated by reference herein, together with the goodwill of the business symbolized thereby;

WHEREAS, Assignor desires to convey, transfer, assign, deliver and contribute to Assignee all of its right, title, and interest in and to the Marks.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby conveys, transfers, assigns, delivers, and contributes to Assignee all of Assignor's right, title, and interest of whatever kind in and to the Marks, together with (i) the goodwill of the business related thereto; (ii) all income, royalties, and damages hereafter due or payable to Assignor with respect to the Marks, including, without limitation, damages and payments for past or future infringements and misappropriations of the Marks; and (iii) all rights to sue for past, present and future infringements or misappropriations of the Marks.

Assignor further covenants that it will execute all documents, instruments, forms, and authorizations and take all other actions that may be necessary for securing, completing, or vesting in Assignee all right, title, and interest in the Marks. Assignor will also cooperate with Assignee, as reasonably required, to enable Assignee to duly record this instrument of assignment with the United States Patent and Trademark Office, so that Assignee's ownership of the Marks is duly made of record in the United States.

[Signature page follows]

IN WITNESS WHEREOF, Assignor has duly executed and delivered this Assignment, as of the day and year first above written.

MIDSTATE MILLS, INC.

By: Steven D. Arndt

Name: Steven D. Arndt

Title: Treasurer/Vice president

ACKNOWLEDGEMENT

State of North Carolina }

County of Catawba }

On November 14, 2012, then personally appeared before me, Steven D. Arndt, Treasurer/Vice President of Midstate Mills, Inc. who acknowledged the foregoing instrument to be his free act and deed, and acknowledged to me that he executed the same in his authorized capacity.

Debra M. Huffmar
Notary Public

My commission expires: April 11, 2016

[SIGNATURE PAGE TO TRADEMARK ASSIGNMENT]

**EXHIBIT A
TRADEMARKS**

<u>Mark</u>	<u>Registration No.</u>	<u>Registration Date</u>
Big M	1359536	09/10/85
M and Design (circle M)	3536329	11/25/08

LADAS & PARRY LLP
INTELLECTUAL PROPERTY LAW

Burton S. Ehrlich



burte@ladas.net

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May 23, 2006

Mr. Don Floyd
National Accounts Sales Manager
Midstate Mills, Inc.
P.O. Box 349
Newton, NC 28658

**Re: Approval Of The Renewal Application Of
U.S. Federal Registration For The**

Mark: BIG M
Registration No.: 1,359,536
Int. Class: 31
Our File No.: 48-067

Dear Don:

We take pleasure in advising you that the above Application for Renewal has met with success, and we are enclosing the official communication received from the Patent and Trademark Office approving the renewal. The Patent and Trademark Office no longer prints separate Renewal Certificates and the attached notification is now the official document which confirms the approval of the combined Section 8 and Renewal application.

This Registration will remain in full force and effect for an additional ten (10) year period; and of course, could be renewed indefinitely for subsequent ten (10) year periods, providing a renewal application is filed within one (1) year prior to each tenth year renewal anniversary date.

In accordance with our usual practice, we will endeavor to give timely notice of all steps necessary for the further



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451
www.uspto.gov

REGISTRATION NO: 1359536 SERIAL NO: 73/492506 MAILING DATE: 11/28/2005
REGISTRATION DATE: 09/10/1985
MARK: BIG M
REGISTRATION OWNER: Midstate Mills, Inc.

CORRESPONDENCE ADDRESS:
BURTON S. EHRLICH
LADAS & PARRY LLP
224 S. MICHIGAN AVENUE, SUITE 1600
CHICAGO, IL 60604

NOTICE OF ACCEPTANCE

15 U.S.C. Sec. 1058(a)(3)

THE COMBINED AFFIDAVIT AND RENEWAL APPLICATION FILED FOR THE ABOVE-IDENTIFIED REGISTRATION MEETS THE REQUIREMENTS OF SECTION 8 OF THE TRADEMARK ACT, 15 U.S.C. Sec. 1058.

ACCORDINGLY, THE SECTION 8 AFFIDAVIT IS ACCEPTED.

NOTICE OF RENEWAL

15 U.S.C. Sec. 1059(a)

THE COMBINED AFFIDAVIT AND RENEWAL APPLICATION FILED FOR THE ABOVE-IDENTIFIED REGISTRATION MEETS THE REQUIREMENTS OF SECTION 9 OF THE TRADEMARK ACT, 15 U.S.C. Sec. 1059.

ACCORDINGLY, THE REGISTRATION IS RENEWED.

THE REGISTRATION WILL REMAIN IN FORCE FOR CLASS(ES):
031.

MA, MACY L
PARALEGAL SPECIALIST
POST-REGISTRATION DIVISION
571-272-9500

PLEASE SEE THE REVERSE SIDE OF THIS NOTICE FOR INFORMATION CONCERNING REQUIREMENTS FOR MAINTAINING THIS REGISTRATION

ORIGINAL