

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM379943

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|---|---|-----------------------|-----------------------|
| SUBMISSION TYPE: | NEW ASSIGNMENT | | |
| NATURE OF CONVEYANCE: | Correction by Declaration for registration number 1245679 on reel and frame 2210/0606 | | |
| CONVEYING PARTY DATA | | | |
| Name | Formerly | Execution Date | Entity Type |
| Evans Food Products Co. | | 04/07/2016 | Corporation: DELAWARE |
| RECEIVING PARTY DATA | | | |
| Name: | Evans Food Products Co. | | |
| Street Address: | 4118 South Halsted Street | | |
| City: | Chicago | | |
| State/Country: | ILLINOIS | | |
| Postal Code: | 60609 | | |
| Entity Type: | Corporation: DELAWARE | | |
| PROPERTY NUMBERS Total: 1 | | | |
| Property Type | Number | Word Mark | |
| Registration Number: | 1245679 | HOT & SPICY | |
| CORRESPONDENCE DATA | | | |
| Fax Number: | 3128767934 | | |
| <i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i> | | | |
| Phone: | 312-876-2837 | | |
| Email: | trademarks.us@dentons.com | | |
| Correspondent Name: | Tara Reedy Sliva | | |
| Address Line 1: | Wacker Drive Station, Willis Tower | | |
| Address Line 2: | P.O. Box 061080 | | |
| Address Line 4: | Chicago, ILLINOIS 60606-1080 | | |
| ATTORNEY DOCKET NUMBER: | 09763440-000001 | | |
| NAME OF SUBMITTER: | Tara Reedy Sliva | | |
| SIGNATURE: | /tara reedy sliva/ | | |
| DATE SIGNED: | 04/08/2016 | | |
| Total Attachments: 2 | | | |
| source=Declaration#page1.tif | | | |
| source=Declaration#page2.tif | | | |

OP \$40.00 1245679

DECLARATION OF Steve Pavicich

1. I am over the age of 18 years and am currently the Secretary of Evans Food Products Co., a Delaware Corporation. I am the Secretary of Evans Food Products Co. The following facts are true based on my own personal knowledge and review of business records.
2. Evans Food Products Co. is the true and correct owner of U.S. Registration No. 1,245,679 for the trademark HOT & SPICY (the "Mark").
3. Upon review of the USPTO Assignment Division Records, an assignment was recorded against the Mark on November 25, 1986 assigning the Mark from American Home Products Corporation, a Delaware corporation to E.J. Brach Corporation, a Delaware corporation (the "Assignment"). The Assignment was recorded with the Assignment Services Branch at Reel/Frame 0549/0824.
4. Upon information and belief the Assignment was submitted and recorded erroneously against the Mark, unbeknownst to Evans Food Products Co.
5. Further on December 22, 2000 a change of name from Brach Van Houten Holding Inc., a Delaware corporation to Brach's Confections Holding Inc., a Delaware corporation, was recorded against the mark (the "Change of Name"). The Change of Name was recorded with the Assignment Services Branch at Reel/Frame 2210/0606.
6. Upon information and belief the Change of Name was submitted and recorded erroneously against the Mark, unbeknownst to Evans Food Products Co.
7. Evans Food Products Co. was, and still is to the date of the execution of this Declaration, the current and rightful owner of the Mark.
8. All subsequent Section 8&9 Declaration filings made in connection with this Mark since the first Section 8&9 Declaration filing was made in 2003 were made in the name of Evans Food Products Co., a Delaware corporation and have been accepted by the USPTO.
8. The chain of title for the Mark should not be considered altered by the erroneous Assignment recorded on November 25, 1986 with the Assignment Services Branch at Reel/Frame 0549/0824, nor by the erroneous Change of Name recorded on December 22, 2000 with the Assignment Services Branch at Reel/Frame 2210/0606.
9. All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true.

I declare under penalty and perjury under the laws of the United States of America, that the foregoing is true and correct.

I declare under penalty and perjury under the laws of the United States of America, that the foregoing is true and correct

EVANS FOOD PRODUCTS CO.

By: [Signature]
Name: Steve Pavicich
Title: Secretary

ACKNOWLEDGEMENT

STATE OF ILLINOIS)
):SS
COUNTY OF Cook)

Be it remembered on this 7 day of April, 2016, before me, the subscriber, a Notary Public authorized to take acknowledgements and proofs in said county and state, personally appeared Steve Pavicich, to me known, who being by me duly sworn according to law, on his/her oath does depose and make proof of my satisfaction that he was at the time of the execution thereof the Secretary of Evans Food Products Co., the assignor in the foregoing instrument; and that he/she signed and delivered the instrument as the voluntary act and deed of said corporation, by virtue of his authority.

[Signature]
Notary Public

