

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM704487

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	Declaration of Correction		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Peri & Sons Farms, Inc.		01/19/2022	Corporation: NEVADA
RECEIVING PARTY DATA			
Name:	Peri & Sons Farms, Inc.		
Street Address:	430 State Route 339		
City:	Yerington		
State/Country:	NEVADA		
Postal Code:	89447		
Entity Type:	Corporation: NEVADA		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Registration Number:	1695622	NEVADA HIGH DESERT	
CORRESPONDENCE DATA			
Fax Number:			
<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>			
Email:	Lara@BrandGeek.net		
Correspondent Name:	Lara Pearson		
Address Line 1:	774 Mays Blvd # 10-405		
Address Line 4:	Incline Village, NEVADA 89451		
NAME OF SUBMITTER:	Lara Pearson		
SIGNATURE:	/Lara Pearson/		
DATE SIGNED:	01/25/2022		
Total Attachments: 35			
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**IN THE PATENT AND TRADEMARK OFFICE
ASSIGNMENT DIVISION**

In The Matter of the Registration of:

Registration No. : 1695622
Mark : NEVADA HIGH DESERT
Registrant : Peri & Sons Farms, Inc.

Declaration of Correction

1. I am counsel of record for Peri & Sons Farms, Inc (PSFI). This Declaration is based upon my personal knowledge.
2. This Declaration of Correction serves to correct the chain of title in the NEVADA HIGH DESERT trademark, Registration No. 1,695,622.
3. On June 16, 1992, the NEVADA HIGH DESERT (& design) mark was federally registered with the USPTO by PSFI for "fresh vegetables" under Registration No.: 1,695,622.
4. On July 28, 1993, James Peri, PSFI President & Secretary, executed a document titled **Assignment of Trademark** that purported to assign to Intermountain Federal Land Bank Association ("Intermountain"), all right, title and interest and goodwill of "all marks now or hereafter used in Assignor's business, but not limited to "NEVADA HIGH DESERT ONIONS," together with the good will [sic] of such business and all registrations thereof pursuant to a Security Interest of the same date, July 28, 1993.
5. On June 14, 1994 David W Armstrong of Intermountain Federal Land Bank Association, FLCA recorded the **Assignment of Trademark** with the USPTO's Assignment Branch, which assigned Reel/Frame 1212/0424 to the document. (See Exhibit A).
6. On July 7, 1997, James Peri, President and Secretary of PSFI executed a Section 8 & 15 Affidavits in support of renewal of PSFI's NEVADA HIGH DESERT trademark registration. This Declaration was submitted by PSFI's then-counsel, Stephen Grubb, on July 21, 1997 and appears to have been accepted by the USPTO. (See Exhibit B).
7. On February 11, 2002 PSFI's then-counsel, Tom Dirksen, signed and submitted the Section 8 & 9 Affidavits in support of the first ten-year renewal

of PSFI's NEVADA HIGH DESERT trademark registration, which appears to have been accepted by the USPTO. (See Exhibit C).

8. On June 14, 2012, PSFI's then-counsel, Tom Dirksen, signed and submitted the Section 8 & 9 Affidavits in support of the second ten-year renewal of PSFI's NEVADA HIGH DESERT trademark registration. (See Exhibit D)
9. On June 25, 2012, USPTO Examiner Michael McMillan issued a Post Registration Office Action rejecting the Section 8 & 9 renewal application filed on June 14, 2012 because:

The party who filed the Section 8 Affidavit must establish its ownership of the registration. The owner's name on the registration is identified as INTERMOUNTAIN FEDERAL LAND BANK ASSOCIATION, FLCA, but the party who filed the Section 8 Affidavit is identified as PERI & SONS FARMS, INC.

(See Exhibit E).

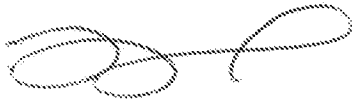
10. On October 9, 2012, Sue Levitt in Thomas Dirksen's office sent an email to Examiner McMillan inquiring what steps need be taken to ensure that ownership was confirmed in the name of Intermountain so that the NEVADA HIGH DESERT registration could be renewed prior to the expiration of the grace period, which was in less than two months, on December 16, 2012. (See Exhibit F).
11. The USPTO then issued a Notice of Acceptance and Renewal on November 20, 2021. (See Exhibit G).
12. In Autumn, 2021, I was retained by PSFI to renew its NEVADA HIGH DESERT trademark registration. In reviewing the file, I discovered the blemish in the chain of title.
13. PSFI put me in touch with Intermountain's successor in interest, American AgCredit, FLCA ("American Ag") whose Associate General Counsel, Samuel Zanutto, I asked to execute a Nunc Pro Tunc assignment, effective June 14, 1994, the date upon which the initial assignment was erroneously recorded.
14. American Ag recorded a UCC Financing Statement Amendment to indicate its termination of its Security Interest in the NEVADA HIGH DESERT mark and registration, effective September 10, 2021. (See Exhibit H).
15. American Ag, however, did not believe it had an ownership interest in the NEVADA HIGH DESERT mark and registration, and thus was unwilling to assign an interest in a mark it did not believe it owned. (See Exhibit I).

16. To be clear, American Ag (and its predecessor in interest, Intermountain) never intended to take a title interest in Peri & Sons Farms NEVADA HIGH DESERT trademark and/or registration. Rather, it intended only to take a collateral interest in the intangible asset. (See Id.).
17. American Ag consents to this the USPTO and others disregarding the Trademark Assignment recorded at Reel/Frame 1212/0424. (See Id.).
18. **The purpose of this Declaration is to instruct the USPTO and others viewing the NEVADA HIGH DESERT chain of title to please disregard the Trademark Assignment recorded at Reel/Frame 1212/0424.**

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that the facts set forth in this application are true; statements made of his / her own knowledge are true; and all statements made on information and belief are believed to be true.

Dated January 19, 2022



Lara Pearson, Esq.
Counsel for Peri & Sons Farms, Inc.
*Licensed in NV (active) & CO (inactive)