

06-20-2000



101384594

and original documents or copy thereof.

To the Honorable Commissioner of Patents and Trademarks

1. Name of conveying party(ies):

Borden Foods Investments Corporation
Suite 202
One Little Falls Centre
Wilmington, DE 19808

5131100

- Individual(s)
- General Partnership
- Corporation-State **Delaware**
- Other
- Association
- Limited Partnership

Additional names(s) of conveying party(ies) Yes No

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other **See Attached Sheet for Correction Information**
- Merger
- Change of Name

Execution Date: **Effective October 1, 1996**

2. Name and address of receiving party(ies):

Name: **BFC Investments, L.P.**
Internal Address: **Suite 202**
Street Address: **One Little Falls Centre**
City: **Wilmington** State: **DE** ZIP: **19808**

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership **Delaware**
- Corporation-State
- Other

If assignee is not domiciled in the United States, a domestic designation is Yes N
(Designations must be a separate document from Additional name(s) & address(es) Yes N

4. Application number(s) or registration numbers(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

2,051,680

Additional numbers Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **Cory M. Amron, Esquire**
Internal Address: **Vorys Sater Seymour and Pease LLP**

Street Address: **1828 L Street, N.W.**
11th Floor
City: **Washington** State: **DC** ZIP: **20036**

6. Total number of applications and registrations involved:.....

1

7. Total fee (37 CFR 3.41):.....\$ **\$40.00**

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

02-2270

DO NOT USE THIS SPACE

06/19/2000 DCORATES 00000177 022270 2051680
01 FC:481 40.00 CH

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Cory M. Amron
Name of Person Signing

Cory Amron
Signature

May 31, 2000
Date

Total number of pages including cover sheet, attachments, and

7

Attachment to Recordation Cover Sheet

Name of Conveying party(ies):

Borden Foods Investments Corporation
Suite 202
One Little Falls Centre
Wilmington, DE 19808

Name of Receiving party(ies):

BFC Investments, L.P.
Suite 202
One Little Falls Centre
Wilmington, DE 19808

Nature of conveyance:

Document previously recorded on Reel/Frame No. 1875/0195 contained an error- Registration No. 2,052,680. Document re-recorded to correct error on stated reel. The correct registration number is 2,051,680.

03/30/99 10-50

ZF702 308 7031

FID/STATUS BR.

MAN 3-18-99

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RECORDATION FORM COVER SHEET TRADEMARKS ONLY

03-30-1999

SMCF
DIPR

03-18-1999

U.S. Patent & Trademark Office
1000

U.S. Patent and Trademark Office, Washington, D.C. 20503
Please record the date

100997738

1. Name of conveying party(ies):
Borden Foods Investments Corporation
Suite 202
One Little Falls Centre
Wilmington, DE 19808

- Individual(s)
- General Partnership
- Corporation-State
- Other

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other
- Merger
- Change of Name

Effective Date: October 1, 1996

2. Name and address of receiving party(ies)

Name: BFC Investments, L.P.

Internal Address:

Suite 202
Street Address: One Little Falls Centre
City: Wilmington State: DE ZIP: 19808

Individual(s) citizenship

- Association
- General Partnership
- Limited Partnership Delaware
- Corporation-State
- Other

If location is not disclosed in the United States, a domestic representative assignment is attached? Yes No

(Designations must be a separate document from assignment)
Additional name(s) & address(es) attached? Yes No

4. Application number(s) or patent number(s):

A. Trademark Application No.(s)
75/016,987

B. Trademark Registration No.(s)

2,026,782
2,052,680
2,042,669

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Karla J. Vinay

Internal Address:

Vorys, Sater, Seymour and Pendo LLP
Street Address:
52 East Gay Street

City: Columbus State: OH ZIP: 43215

6. Total number of applications and registrations involved: 8

7. Total fee (37 CFR 3.41).....\$215.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

02-2270

Please duplicate copy of this page if paying by deposit account

DO NOT USE THIS SPACE

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Karla J. Vinay
Name of Person Signing

Karla J. Vinay
Signature

3/17/99
Date

Total number of pages including cover sheet, attachments, and document: 5

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

03/23/99-JERRAZZ 9000214 7581690

FD-561 44.00 CH
FD-562 172.00 CH

Commissioner of Patents and Trademarks
Box Assignments
Washington, D.C. 20231

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503.

TRADEMARK
REEL: 1875 FRAME: 0195

TRADEMARK
REEL: 002089 FRAME: 0388

ASSIGNMENT NUNC PRO TUNC

WHEREAS, BORDEN FOODS INVESTMENTS CORPORATION, a Delaware Corporation having its principal place of business at Suite 202, One Little Falls Centre, 2711 Centerville Road, Wilmington, Delaware 19808, ("hereinafter called "the Assignor") is the owner of the trademarks now registered and for which application is now pending and listed on the attached Schedule A ("Trademarks") in the United States Patents and Trademarks Office as set forth on such Schedule A.

WHEREAS, BFC INVESTMENTS, L.P., a Delaware Corporation having its principal place of business at Suite 202, One Little Falls Centre, 2711 Centerville Road, Wilmington, Delaware 19808, ("hereinafter called the "Assignee"), is desirous of acquiring said Trademarks and the registrations and applications therefor;


NOW THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, said BORDEN FOODS INVESTMENTS CORPORATION, does hereby assign unto said BFC INVESTMENTS, L.P., nunc pro tunc as of October 1, 1996, all right, title, and interest in the United States in and to said trademarks, together with the goodwill of the business as symbolized by said trademarks and the registrations and applications therefor.

Assignor and Assignee acknowledge that this Assignment of the trademarks is made subject to the terms of Paragraph 2.1 (a) (iii) of that Conveyance and Transfer Agreement made by and among, inter alia, Assignor and Assignee dated as of October 1, 1996.

IN WITNESS WHEREOF, Assignor and Assignee have caused this assignment to be executed effective as of October 1, 1996.

BORDEN FOODS INVESTMENTS CORPORATION

By:


Phyllis R. Yeatman
President

TRADEMARK
REEL: 1875 FRAME: 0196

TRADEMARK
REEL: 002089 FRAME: 0389

STATE OF Delaware)
) SS
COUNTY OF New Castle)

On this 15th day of March 1999, before me personally appeared Phyllis R. Yeatman, the person who signed this instrument who acknowledged that she signed it as a free act on behalf of BORDEN FOODS INVESTMENTS CORPORATION, the Assignor above named.

(SEAL)

John W. Kendall
Notary Public

My Commission Expires: 1-15-2000

BFC INVESTMENTS, L.P.

By: BORDEN FOODS CORPORATION, its Managing General Partner

By: Phyllis R. Yeatman
Phyllis R. Yeatman
Assistant Secretary

STATE OF Delaware)
) SS
COUNTY OF New Castle)

On this 15th day of March 1999, before me personally appeared Phyllis R. Yeatman, the person who signed this instrument who acknowledged that she signed it as a free act on behalf of BFC INVESTMENTS, L.P., the Assignee above named.

(SEAL)

John W. Kendall
Notary Public

My Commission Expires: 1-15-2000

Trademarks on Assignment from BORDEN FOODS INVESTMENTS CORPORATION to BFC INVESTMENTS, L.P.
(United States)

TRADEMARK	STATUS	APP. NUMBER	FILE DATE	REG. NUMBER	REG. DATE	COUNTRY NAME	CLASS	GOODS
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CREATE WITH
CREAMLETTE

PENDING

75/069027

24-DEC-1996

UNITED STATES OF AMERICA

30

MACARONI, SPAGHETTI, VERMICELLI, RINGS, JUNIORLETTER, SHELLS, LINGUINE, LASAGNA, WIDE RIBBONS, YOLK-FREE DUMPLING, PEENE RIGATE, MOSTACCIOLI, RIGATONI, ZITI, PASTA NUGGETS, ROTOLE, WHERES, RAINBOW PASTA, MANICOTTI, EGG NOODLES, SPINACH RIBBONS, HUSKI, EXTRA-WIDE NOODLES AND MACARONI AND CHEESE

EVERY DAY'S A
PRINCE PASTA DAY

REGISTERED

75/015747

07-NOV-1995

2028782

31-DEC-1998

UNITED STATES OF AMERICA

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PASTA, NAMELY SPAGHETTI, MACARONI, ZITI, VERMICELLI, LINGUINE, RIGATONI, SHELLS, DITALINI, MEZZANI, MACCARONIVCELLI, APPHABETS, ACINI DE PEPE, TUBETHIN, ORZO, MOSTACCIOLI, ROTINI, RACIATORE, CAVATELLI, FUSILLI, MANICOTTI, SHELLS AND CHEDDAR, TWISTS AND CHEDDAR, MACARONI AND CHEESE, FETTUCCINE, EGG NOODLES, RIBBONI, ANGEL HAIR

ITALIAN MEDLEY

REGISTERED

74/871,359

08-MAY-1995

2,051,890

08-APR-1997

UNITED STATES OF AMERICA

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PASTA

MISCELLANEOUS
DESIGN (MASON JAR)

REGISTERED

74/822,211

09-FEB-1995

2,042,889

11-MAR-1997

UNITED STATES OF AMERICA

30

SAUCES, WITH THE EXCEPTION OF APPLE SAUCE AND CRANBERRY SAUCE IN INTERNATIONAL CLASS 30

Vorys, Sater, Seymour and Pessen, LLP 3/17/00



TRADEMARK
REEL: 1875 FRAME: 0198

TRADEMARK
REEL: 002089 FRAME: 0391

TRADEMARK	STATUS	APP. NUMBER	FILE DATE	REG. NUMBER	REG. DATE	COUNTRY NAME	CLASS	GOODS
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NOVITA	REGISTERED	78/084,822	01-MAR-1990	2,095,877	09-SEP-1997	UNITED STATES OF AMERICA	30	PASTA; PASTA AND SAUCES IN COMBINATION
SPAGHETTINI DI SORRENTO	PENDING	74/972,350	12-SEP-1994	2,019,168	12-NOV-1998	UNITED STATES OF AMERICA	29	ENRICHED MACARONI PRODUCT.
VIVA (STYLIZED)	RENEWED	384,907	08-JUL-1970	914,183	03-JUN-1971	UNITED STATES OF AMERICA	30	MACARON, NOODLES AND SPAGHETTI SAUCES, BOTH MEATLESS AND MEAT-CONTAINING (US CLASS 46)

Vorys, Sator, Seymour and Pease, LLP 3/17/99
 05 17 99 37343-0015

RECORDED: 03/18/1999

TRADEMARK
REEL: 1875 FRAME: 0199

TRADEMARK
REEL: 002089 FRAME: 0392

D#

Vorys, Sater, Seymour and Pease LLP

1828 L Street NW • Eleventh Floor • Washington, D.C. 20036-5109 • Telephone (202) 467-8800 • Facsimile (202) 467-8900

Cory M. Amron
Direct Dial (202) 467-8810
Facsimile (202) 467-8900
E-Mail - cnamron@vsssp.com



May 31, 2000

U.S. Patent and Trademark Office
Assignment Division
Box Assignments
North Tower Building; Suite 10C35
Washington, D.C. 20231

**Re: Correction to Assignment Recorded at Reel/Frame No. 1875/0195
Our Ref. No.: 46156-00002**

Dear Sir/Madam:

I am writing to request a correction to the assignment recorded at Reel 1875; Frame 0195 recorded on March 18, 1999. Among the assigned trademarks recorded was IOTA; Registration Number 2,052,680. The trademark that should have been recorded is ITALIAN MEDLEY; Registration Number 2,051,680. The mistake in recordation was due to a typographical error on the Cover Sheet on the original document. Please correct the record to reflect the assignment of the ITALIAN MEDLEY registration rather than the IOTA registration. I have enclosed a copy of the Notice of Recordation of Assignment Document, as well as a new Cover Sheet to reflect the correct registration number.

We would like you to please charge our client's Deposit Account No. 02-2270 in the appropriate amount to cover the filing fees and any other costs involved for recording these documents.

If you have any questions, please do not hesitate to contact me.

Sincerely,


Cory M. Amron

CMA/bh
Enclosure

cc: Susan Progoff, Esquire

05/31/00 - 612204

RECORDED: 05/31/2000

TRADEMARK
REEL: 002089 FRAME: 0393