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To the Honorable Commissioner of

Original documents or copy thereof.

101539859

1. Name of conveying party(ies):  
Mary Louise Kern Rupp

- Individual(s)  Association
- General Partnership  Limited Partnership
- Corporation-State
- Other \_\_\_\_\_

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

3. Nature of conveyance:
- Assignment  Merger
  - Security Agreement  Change of Name
  - Other \_\_\_\_\_

Execution Date: July 28, 1999

2. Name and address of receiving party(ies):  
 Name: Alan Rupp  
 Internal Address: Kern's Kitchen  
 Street Address: 408 Production Court  
 City: Louisville State: KY ZIP: 40299  
 Individual(s) citizenship USA  
 Association  
 General Partnership  
 Limited Partnership  
 Corporation-State  
 Other \_\_\_\_\_

If assignee is not domiciled in the United States, a domestic representative designation 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 registration number(s):  
A. Trademark Application No. (s)

B. Trademark registration No. (s)

878,334

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:  
 Name: Donald L. Cox  
 Internal Address: \_\_\_\_\_  
 LYNCH, COX, GILMAN & MAHAN, P.S.C.  
 Street Address: 400 West Market  
 Suite 2200  
 City: Louisville State: KY ZIP: 40202

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: 03-3420  
 (Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

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.

Donald L. Cox  
Name of Person Signing

11/7/2000  
Date

Total number of pages comprising cover sheet: 1

OMB No. 0651-0011 (exp. 4/94)

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:  
**Commissioner of Patents and Trademarks**  
**Box Assignments**  
**Washington, D.C. 20231**

Public burden reporting for this sample cover sheet is estimated to average 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).

**TRADEMARK ASSIGNMENT**

WHEREAS, MARY LOUISE KERN RUPP, an individual, residing at 410 Louise Drive, China Grove, North Carolina 28023, has adopted, used, is using and is the owner of the following trademark now registered in the United States Patent and Trademark Office:

Trademark	Registration No.	Date of Registration
DERBY PIE	878,334	October 7, 1969 renewed on December 19, 1989;

and WHEREAS, Alan Rupp, an individual, is desirous of acquiring the Mark and any registration thereof;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, MARY LOUISE KERN RUPP hereby assigns to ALAN RUPP a fifty percent (50%) interest in the right and title in the United States in and to said trademark and said registration therefor, together with the goodwill of the business symbolized by said trademark and the registration thereof.

Signed at First Union Bank, this 28<sup>th</sup> day of July, 1999.  
China Grove, NC.  
28023

Mary Louise Kern Rupp  
MARY LOUISE KERN RUPP

State of North Carolina )  
County of Rowan ) ss.

On this 28<sup>th</sup> day of July, 1999, personally appeared Mary Louise Kern Rupp, the assignor above named, and acknowledged that she executed the foregoing Assignment and pursuant to authority duly received.

Danny W. Edwards  
Notary Public

My Commission expires February 29, 2004

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