Form **PTO-1594**



U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002) 101794317. Tab settings ⇔⇔⇔ To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof. 50) 2. Name and address of receiving party(ies) 1. Name of conveying party(ies): O'Brien & Co., Inc. DJ&T Enterprises, Inc., f/k/a Internal O'Brien & Company, Inc. Address: Association Individual(s) Street Address: 3302 Harlan Lewis Road General Partnership Limited Partnership City: Bellevul 68005 Corporation-State (Nebraska) Other Individual(s) citiz Association Additional name(s) of conveying party(ies) attached? Yes No General Partne 3. Nature of conveyance: Limited Partnership Merger XX Assignment Corporation-State Security Agreement Change of Name Other_ If assignee is not domiciled in the United States, a domestic Other_ representative designation is attached: 📮 Yes 📮 No (Designations must be a separate document from assignment) Execution Date:_ Additional name(s) & address(es) attached? 4. Application number(s) or registration number(s): B. Trademark Registration No.(s) 2119183 A. Trademark Application No.(s) Additional number(s) attached Yes Yes 5. Name and address of party to whom correspondence 6. Total number of applications and concerning document should be mailed: registrations involved: Name: Elizabeth H. Kiernat 7. Total fee (37 CFR 3.41).....\$ 40.00 Internal Address: 2100 Minnesota World Enclosed Trade Center Authorized to be charged to deposit account 8. Deposit account number: 30 East Seventh Street Street Address: Z_{ip} : 55101 St. Paul State: (Attach duplicate copy of this page if paying by deposit account) City: 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. 7-16-01 John O.Brien Name of Person Signing

> Total number of pages including cover sheet, attachments, and docu Mail documents to be recorded with required cover sheet information to: Commissioner of Patent & Trademarks, Box Assignments Washington, D.C. 20231

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TRADEMARK

REEL: 002337 FRAME: 0565

ASSIGNMENT OF TRADEMARK "SNAK-MAGIC"

WHEREAS, DJ&T Enterprises, Inc., a Nebraska corporation ("DJ&T"), f/k/a O'Brien & Co., Inc. and O'Brien and Company, Inc., ("O'Brien") located at 3302 Harlan Lewis Road, Bellevue, Nebraska 68005, has adopted, used and registered the mark "SNAK-MAGIC" (the "Mark", which is registered in the United States Patent and Trademark Office as Registration Number 2,119,183, December 9, 1997); and

WHEREAS, O'Brien & Co., Inc., f/k/a John O'Brien Acquisition Co., Inc. a Nebraska corporation located at 3302 Harlan Lewis Road, Bellevue, Nebraska 68005, has acquired assets of O'Brien including trade names, trademarks and goodwill, and is desirous of documenting its acquisition of the Mark (a sample of which is attached hereto),

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, DJ&T does hereby assign unto O'Brien & Co., Inc., f/k/a John O'Brien Acquisition Co., Inc., a Nebraska corporation, all right, title and interest in and to such Mark, together with the goodwill of the business symbolized by the Mark, and DJ&T agrees to execute and deliver such additional documents as may be reasonably required to evidence assignment of such Mark to O'Brien & Co., Inc. This Assignment is subject to all terms, conditions and limitations set forth in the Asset Purchase Agreement executed on February 15, 2001 by O'Brien and John O'Brien Acquisition Co., Inc. n/k/a O'Brien & Co., Inc.

Dated: <u>7-16-01</u>, 2001.

	DJ&T ENTERPRISES, INC.
	By: Jal POPu
	Its! Vice President
STATE OF NEBRASKA)
_) ss
COUNTY OF Sarpy)
The foregoing instrument was by John P. O'Brien	acknowledged before me this fthday of July 2001, [name], the lie President stitle] of DJ&T
Enterprises, Inc., a Nebraska corpora	ation, on behalf of the corporation.
	(1. h 1.)
GENERAL NOTARY-State of N	obraska delle M. Weiner
ALCE M. WENN	Notary Public

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