

D



10-24-2001

Form PTO-1594 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002) Tab settings

RE

10-02-001

U.S. Patent & TMOs/TM Mail Rept Dt #7:

RET



101884264

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

THESAUCE.COM INC.

10/02/01

- Individual(s) Association General Partnership Limited Partnership Corporation-State Delaware 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: April 26, 2001

2. Name and address of receiving party(ies)

Name: ALLIANT FOODSERVICE, INC.

Internal

Address:

Street Address: One Parkway North

City: Deerfield State: IL Zip: 60015

- Individual(s) citizenship Association General Partnership Limited Partnership Corporation-State Delaware 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) 75/891925 76/055422 75/891939 75/891927 76/054029 75/891938 75/891926 75/891945 75/891934

B. Trademark Registration No.(s) 2447701 2457008 2448966

Additional number(s) attached Yes No

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

Name: Mary Lou Haflinger

Internal Address: D--505

Alliant Foodservice, Inc.

Street Address: One Parkway North

City: Deerfield State: IL Zip: 60015

6. Total number of applications and registrations involved: 12

7. Total fee (37 CFR 3.41): \$315.00

- Enclosed Authorized to be charged to deposit account

8. Deposit account number:

(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.

Mary Lou Haflinger

Name of Person Signing

Mary Lou Haflinger Signature

10-1-01

Date

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

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

TRADEMARK REEL: 002387 FRAME: 0268

Handwritten initials 'SS' at the bottom left.

Office of the Secretary of State

---

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"THESAUCE.COM INC.", A DELAWARE CORPORATION,

WITH AND INTO "ALLIANT FOODSERVICE, INC." UNDER THE NAME OF "ALLIANT FOODSERVICE, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-NINTH DAY OF MAY, A.D. 2001, AT 1:30 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE TWENTY-NINTH DAY OF MAY, A.D. 2001, AT 11:59 O'CLOCK P.M.



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 1255274

2243287 8100M

010352691

DATE: 07-20-01

TRADEMARK  
REEL: 002387 FRAME: 0269

**CERTIFICATE OF MERGER  
MERGING THE SAUCE.COM INC.  
WITH AND INTO ALLIANT FOODSERVICE, INC.**

Alliant Foodservice, Inc. (hereinafter sometimes referred to as the "Corporation"), a corporation organized and existing under the laws of the State of Delaware,

**DOES HEREBY CERTIFY:**

**FIRST:** That the Corporation was incorporated on October 9, 1990, under the name of Kraft Foodservice, Inc., pursuant to the General Corporation Law of the State of Delaware (the "DGCL") and that TheSauce.com Inc. ("TheSauce"), a Delaware corporation, was incorporated on August 5, 1999, under the name of Enterprise Cafe, Inc., pursuant to the DGCL.

**SECOND:** That an agreement and plan of merger between the parties to the merger has been approved, adopted, certified, executed and acknowledged by each of the constituent corporations in accordance with the requirements of subsection (c) of Section 251 of the DGCL.

**THIRD:** That the agreement and plan of merger between the parties to the merger has been approved, adopted, ratified and confirmed by written consent of the stockholders of TheSauce on April 26, 2001 in accordance with the requirements of Section 228 of the DGCL.

**FOURTH:** That the Corporation shall be the surviving corporation of the merger.

**FIFTH:** That the Certificate of Incorporation of the Corporation will be the Certificate of Incorporation of the surviving corporation.

**SIXTH:** This Certificate of Merger will be effective as of 11:59:59 p.m. on the date of filing with the Secretary of State of the State of Delaware.

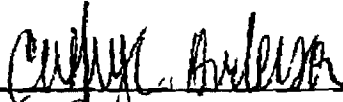
**SEVENTH:** That the executed agreement and plan of merger is on file at the principal place of business of the surviving corporation. The address of the principal place of business of the surviving corporation is One Parkway North, Deerfield, Ill. 60015.

**EIGHTH:** That a copy of the agreement and plan of merger will be furnished by the surviving corporation, on request and without costs to any stockholder of any constituent corporation.

**NINTH:** Notwithstanding anything to the contrary, this merger may be terminated and abandoned by the Board of Directors of the Corporation at any time prior to the filing of this Certificate of Merger.

IN WITNESS WHEREOF, Alliant Foodservice, Inc. has caused this Certificate of Merger to be executed by a duly authorized officer this 26<sup>th</sup> day of April, 2001.

Alliant Foodservice, Inc.

By:   
Name: CATHY ANDERSON  
Title: VICE PRESIDENT

Certificate of Merger of Alliant.doc