

01-02-2002

12/21/01



Y

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

101928867

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

1. Name of conveying party(ies):

CARMA AG

- Individual(s)
- General Partnership
- Corporation -Switzerland
- Other _____
- Association
- Limited Partnership

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

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

CARMA PFISTER AG
Neugutstrasse 58
8600 Dubendorf
Switzerland

- Individual(s) citizenship _____
- Association _____
- General Partnership _____
- Limited Partnership _____
- Corporation - Switzerland
- Other _____

Domestic representative is attached: Yes No
Additional name(s) & address(es) attached? Yes No

3. Nature of conveyance:

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

Execution Date: June 30, 1993

4. (A.) Trademark Application No.(s)

4. (B.) Trademark Registration No.(s)

1939786
1943932



12-21-2001

U.S. Patent & TMO/TM Mail Rcpt Dt. #66

Additional numbers attached? Yes No

5. Correspondence should be mailed to:

VICTOR M. TANNENBAUM
ABELMAN, FRAYNE & SCHWAB
150 East 42nd Street
New York, New York 10017

6. Total number of applications and registrations involved:..... 2

7. Total fee (37 CFT 3.41): \$ 65.00

Enclosed

(The said Deposit Account should be charged for any official fee not fully covered by the enclosed check)

Authorized to be charged to deposit account
Deposit account number: 01-0035

(Attach duplicate copy of this page if paying by deposit account)

12/31/2001 LMUELLER 00000092 1939786

01 FC:481 40.00 OP
02 FC:482 25.00 OP

DO NOT USE THIS SPACE

8. 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.

VICTOR M. TANNENBAUM
Name of Person Signing

Signature

12/21/01

Date

Total number of pages comprising cover sheet, attachments and documents: 6

**REVOCATION
AND
NEW POWER OF ATTORNEY**

Mark: CARMA

Registration No.: 1939786

Serial No.:

Class(es):

Owner: Barry Callebaut Schweiz AG

APPOINTMENT OF DOMESTIC REPRESENTATIVE

Abelman, Frayne & Schwab, whose postal address is 150 East 42nd Street, New York, New York 10017, U.S.A. is hereby designated applicant's representative upon whom notices or process in proceedings affecting the mark may be served.

POWER OF ATTORNEY

Applicant hereby revokes all previous Powers of Attorney and hereby appoints jointly and severally, with full power of substitution, the power of appointment of an associate attorney and the power of revocation

LAWRENCE E. ABELMAN
JEFFREY A. SCHWAB
NORMAN S. BEIER
VICTOR M. TANNENBAUM
PETER J. LYNFIELD

ALAN J. HARTNICK
CARIDAD PIÑEIRO SCORDATO
JULIANNE ABELMAN
JONATHAN W. GUMPORT
MARSHA G. AJHAR

members of the Bar of the State of New York, whose address is

ABELMAN, FRAYNE & SCHWAB
150 East 42nd Street
New York, New York 10017 U.S.A.

to transact business in the Patent and Trademark Office in connection with our trademarks, applications therefor, and registrations which have or will issue thereon.

By 

Date: November 26, 2001

Mark: CARMA

REVOCATION

Registration No.: 1943932

AND

Serial No.:

NEW POWER OF ATTORNEY

Class(es):

Owner: Barry Callebaut Schweiz AG

APPOINTMENT OF DOMESTIC REPRESENTATIVE

Abelman, Frayne & Schwab, whose postal address is 150 East 42nd Street, New York, New York 10017, U.S.A. is hereby designated applicant's representative upon whom notices or process in proceedings affecting the mark may be served.

POWER OF ATTORNEY

Applicant hereby revokes all previous Powers of Attorney and hereby appoints jointly and severally, with full power of substitution, the power of appointment of an associate attorney and the power of revocation

LAWRENCE E. ABELMAN
JEFFREY A. SCHWAB
NORMAN S. BEIER
VICTOR M. TANNENBAUM
PETER J. LYNFIELD

ALAN J. HARTNICK
CARIDAD PIÑEIRO SCORDATO
JULIANNE ABELMAN
JONATHAN W. GUMPORT
MARSHA G. AJHAR

members of the Bar of the State of New York, whose address is

ABELMAN, FRAYNE & SCHWAB
150 East 42nd Street
New York, New York 10017 U.S.A.

to transact business in the Patent and Trademark Office in connection with our trademarks, applications therefor, and registrations which have or will issue thereon.

By

Date: November 26, 201



Handelsregister des Kantons Zürich - Hauptregister

Firmennummer CH-020.3.904.625-0	Rechtsnatur Aktiengesellschaft	Eintragung 29.06.1961	Löschung	Uebertrag 3.067.007.076 von: 020.3.904.625-0/a auf:	1
------------------------------------	-----------------------------------	--------------------------	----------	---	---

Alle Eintragungen

Ei	Lö	Firma	Ref	Sitz
1		Carma AG Dübendorf	1	Dübendorf
2		Carma Pfister AG		
14		Barry Callebaut Schweiz AG		
14		(Barry Callebaut Switzerland Ltd) (Barry Callebaut Suisse SA) (Barry Callebaut Svizzera SA)		

Ref	Aktienkapital (CHF)	Liberierung (CHF)	Aktien-Stückelung	Ref	Adresse der Firma
1	4'500'000.--	4'500'000.--	900 Namenaktien zu CHF 5'000.--	1	Neugutstrasse 58
2	4'600'000.--	4'600'000.--	920 Namenaktien zu CHF 5'000.--		8600 Dübendorf

Ref	PS-Kapital (CHF)	Liberierung (CHF)	Partizipationsscheine

Ei	Lö	Zweck	Ref	Postadresse
1	2	Herstellung und Verkauf von Konditorei- und Gastgewerbeprodukten, gleichartigen oder verwandten Artikeln; kann Liegenschaften erwerben und veräussern.		
2		Herstellung, Verkauf und Vertrieb von Konditorei-, Confiserie- und Gastgewerbeprodukten sowie von gleichartigen oder verwandten Artikeln; kann Grundstücke erwerben, verwalten und veräussern sowie sich an anderen Unternehmungen beteiligen.		

Ei	Lö	Bemerkungen	Ref	Statutendatum
1		Der von einer bisherigen Registerkarte übertragene Auszug enthält keine vor dem Uebertrag gestrichenen Tatsachen, und auch keine allfälligen früheren Statutendaten oder Tagebuch- und SHAB-Zitate. Diese können auf der im Feld "Uebertrag von" bezeichneten Handelsregisterkarte eingesehen werden.	1	05.06.1986
			2	08.06.1993
			14	09.04.1999
			16	29.02.2000
2		Die Mitteilungen an die Namenaktionäre erfolgen an ihre letzte im Aktienbuch eingetragene Adresse durch eingeschriebenen Brief oder gegen Empfangsbestätigung oder telegrafisch oder, sofern das Gesetz nicht zwingend etwas anderes bestimmt, durch Veröffentlichung im Publikationsorgan.		
2		Die Übertragbarkeit der Namenaktien ist nach Massgabe der Statuten beschränkt.		

Ei	Lö	Sacheinlagen, Sachübernahmen, beso Vorteile, Genussscheine	Ref	Publikationsorgan
1	2	Aktiven und Passiven gemäss Bilanz per 31.12.1960 der Firma "Carl Mäntler", in Dübendorf, zum Preise von CHF 2'000'000.--, voll auf das Grundkapital angerechnet.	1	SHAB
2		Sacheinlage: Übernimmt bei der Kapitalerhöhung vom 8.6.1993 die Kurt Pfister AG, Confiseriefabrik, in Fehraltorf, durch Fusion. Aktiven von CHF 34'243'046.-- und Passiven von CHF 32'741'306.-- gehen gemäss Fusionsbilanz per 31.12.1992 im Sinne von Art. 748 OR auf die Gesellschaft über; der Erhöhungsbetrag wurde entsprechend dem Fusionsvertrag liberiert. Die Aktionäre der übernommenen Gesellschaft erhalten dafür 20 Namenaktien zu CHF 5'000.-- der übernehmenden Gesellschaft.		

Ei	Lö	Zweigniederlassung	Ei	Lö	Zweigniederlassung	Ei	Lö	Zweigniederlassung	Ei	Lö	Zweigniederlassung

Zeil	Ref	TB-Nr	TB-Datum	SHAB	SHAB-Datum	Seite	Zeil	Ref	TB-Nr	TB-Datum	SHAB	SHAB-Datum	Seite
IS	0		(Auslassung)		(Auslassung)		SV	10	4805	25.02.1998	42	03.03.1998	1519
WE	1	19607	18.10.1991	209	29.10.1991	4623	SV	11	6472	18.03.1998	57	24.03.1998	2011
GA	2	12199	30.06.1993	135	15.07.1993	3693	SV	12	20302	16.09.1998	183	22.09.1998	6516
PA	3	3086	11.02.1994	35	18.02.1994	957	CA	13	7601	08.04.1999	71	14.04.1999	2393
ZA	4	5254	15.03.1994	57	22.03.1994	1541	GA	14	9599	04.05.1999	89	10.05.1999	3077
ZA	5	10874	01.06.1994	109	08.06.1994	3203	HO	15	11560	27.05.1999	104	02.06.1999	3666
HG	6	18095	02.09.1994	175	09.09.1994	5017	GF	16	5629	06.03.2000	50	10.03.2000	1639
BE	7	5832	16.03.1995	57	22.03.1995	1587							
FI	8	12398	12.06.1996	116	18.06.1996	3601							
CC	9	25398	06.11.1997	218	12.11.1997	8226							



HANDELSREGISTERAMT DES KANTONS ZÜRICH

CERTIFICATION

issued by the Commercial Registry of Canton Zurich

It is hereby certified that the following company is entered in the Commercial Register of Canton Zurich: a joint stock company by the name of

Barry Callebaut Schweiz AG-----
(Barry Callebaut Switzerland Ltd) (Barry Callebaut Suisse SA) (Barry Callebaut Svizzera SA)-----

domiciled in Dübendorf-----

Address: Neugutstrasse 58, 8600 Dübendorf-----

This company has been entered in the Commercial Register of Canton Zurich since 29th June 1961. It has been entered in the aforementioned register under the following versions:

From 06th October 1977 - 30th June 1993

Carma AG Dübendorf-----

From 30th June 1993 - 04th May 1999

Carma-Pfister AG-----

It has been entered since 04th May 1999 under the following name:

Barry Callebaut Schweiz AG-----
(Barry Callebaut Switzerland Ltd) (Barry Callebaut Suisse SA) (Barry Callebaut Svizzera SA)-----

(In reference to the aforementioned joint stock company, there were other versions of the company name entered in the Commercial Register of Canton Zurich prior to 06th October 1977).

It is further certified that the aforementioned company is organized according to the laws of Switzerland.

The Commercial Registry Office of the Canton of Zurich can offer no guarantee as to the accuracy of the translation from the original German text of this entry in the Commercial Register.

TRADEMARK

REEL: 002415 FRAME: 0182

Zurich, Switzerland, 17th September 2001
Company number: CH-020.3.904.625-0
Signed: AE
Fee: CHF 120.--




Official Certification

This is to certify that this copy corresponds exactly with the document shown to us this day and declared to be the original.

Zurich, 19th day of September 2001

B No. 6459
Fee: Fr. 25.--

NOTARIAT HOTTINGEN-ZÜRICH


Patrik Cadalbert, certifying officer

TRADEMARK

REEL: 002415 FRAME: 0183

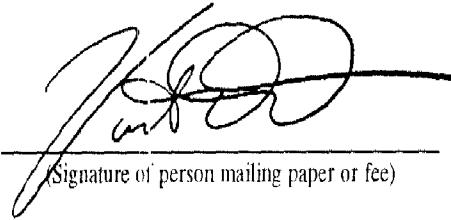
"EXPRESS MAIL" Number ET537517975US

Date of Deposit December 21, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and addressed to: Commissioner of Patents and Trademarks, U.S. Patent & Trademark Office, Washington, D.C. 20231

VICTOR M. TANNENBAUM

(Type or printed name of person mailing paper or fee)



(Signature of person mailing paper or fee)