

12/21/01

01-02-2002



Y

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

101928893

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

1. Name of conveying party(ies):

CARMA PFISTER AG

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

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

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

BARRY CALLEBAUT SCHWEIZ AG  
 Neugutstrasse 58  
 8600 Dubendorf  
 Switzerland

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

3. Nature of conveyance:

Assignment                       Merger  
 Security Agreement               Change of Name  
 Other \_\_\_\_\_

Execution Date: May 4, 1999


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

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

Additional numbers attached?  Yes  No

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

1939786  
 1943932



12-21-2001  
 U.S. Patent & TMO/TM Mail Rcpt Dt. #66

5. Correspondence should be mailed to:

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

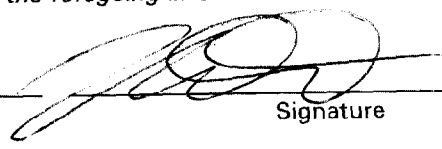
6. Total number of applications and registrations involved:..... **2**

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  
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12/31/2001 LMUELLER 00000093 1939786  
 01 FC:4A1 40.00 DP  
 02 FC:4B2 25.00 DP

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                                            12/21/01  
 Name of Person Signing                      Signature                      Date

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

Mark: CARMA

**REVOCATION**

Registration No.: 1939786

**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

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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

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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

**TRADEMARK**  
**REEL: 002415 FRAME: 0238**

**REVOCATION  
AND  
NEW POWER OF ATTORNEY**

Mark: CARMA  
Registration No.: 1943932  
Serial No.:  
Class(es):  
Owner: Barry Callebaut Schweiz AG

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By



Date:

November 26, 2011



# Handelsregister des Kantons Zürich - Hauptregister

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

Alle Eintragungen

| Ei | Lö | Firma                                                                                       | Ref | Sitz      |
|----|----|---------------------------------------------------------------------------------------------|-----|-----------|
| 1  |    | <del>Carma-AG Dübendorf</del>                                                               | 1   | Dübendorf |
| 2  |    | <del>Carma-Pfister-AG</del>                                                                 |     |           |
| 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   | <del>4'500'000.--</del> | <del>4'500'000.--</del> | 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  | <del>Herstellung und Verkauf von Konditorei- und Gastgewerbeprodukten, gleichartigen oder verwandten Artikeln; kann Liegenschaften erwerben und veräussern.</del>                                                                              |     |             |
| 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  |    | 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   | 08.06.1993    |
| 2  |    | Die Übertragbarkeit der Namenaktien ist nach Massgabe der Statuten beschränkt.                                                                                                                                                                                                                        | 14  | 09.04.1999    |
|    |    |                                                                                                                                                                                                                                                                                                       | 16  | 29.02.2000    |

| Ei | Lö | Sacheinlagen, Sachübernahmen, beso Vorteile, Genussscheine                                                                                                                                                                                                                                                                                                                                                                                                                                     | Ref | Publikationsorgan |
|----|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-------------------|
| 1  | 2  | <del>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.</del>                                                                                                                                                                                                                                                                                                                   | 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 liberriert. 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 |
|----|----|--------------------|----|----|--------------------|----|----|--------------------|----|----|--------------------|
|    |    |                    |    |    |                    |    |    |                    |    |    |                    |

| Zei | Ref | TB-Nr | TB-Datum     | SHAB | SHAB-Datum   | Seite | Zei | 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: 0241

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



Official Certification

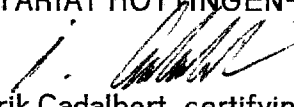
This is to certify that this copy corresponds exactly with the document shown to us this day and declared to be the original.

Zurich, 19th day of September 2001

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



NOTARIAT HOTTINGEN-ZÜRICH

  
Patrik Cadalbert, certifying officer

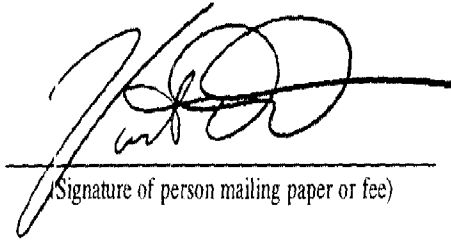
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Date of Deposit December 21, 2001

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)

A handwritten signature in black ink, appearing to read "Victor M. Tannenbaum", written over a horizontal line.

(Signature of person mailing paper or fee)