RECORI

11-18-2002

U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office

To the Honorable Commissioner of Patents	82867 original documents or copy thereof.
1. Name of conveying party(ies):	Name and address of receiving party(ies):
Kwik Farms, Inc. 11-13-02	Getty Properties Corp.
☐ Individual(s) ☐ Association ☐ General Partnership ☐ Limited Partnership ☐ Corporation ☐ Other	125 Jericho Turnpike Jericho, New York 11753  □ Individual(s) citizenship: □ Association:
Additional name(s) of conveying party(ies) attached	General Partnership:  Limited Partnership:
3. Nature of Conveyance:	☐ Corporation: Delaware ☐ Other:
<ul> <li>☑ Assignment</li> <li>☐ Merger</li> <li>☐ Change of Name</li> <li>☐ Other:</li> </ul>	If assignee is not domiciled in the United States, a domestic representative designation is attached  Yes  No (Designation must be a separate document from Assignment)  Additional name(s) & addresses attached? Yes  No
Execution Date: August 31, 1989	Additional name(s) & addresses attached?
4. Application number(s) or registration number(s):	
A. Trademark Application No.(s):	B. Trademark Reg. No.(s): 1,288,389
Additional numbers attached Yes No	
5. Name and address of party to whom correspondence concerning document should be mailed:	6. Total number of applications and registrations involved: 1
Harriet E. Perkins, Esq. Drinker Biddle & Reath LLP One Logan Square 18 <sup>th</sup> and Cherry Streets Philadelphia, PA 19103-6996	7. Total fee (37 CFR 3.41) \$40.00  ☑ Enclosed ☐ Authorized to be charged to deposit account
Attorney Docket No. 164969	8. Deposit Account Number:
DO NOT USE THIS SPACE	
9. 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.  HARRIET E. PERKINS Name of Person Signing  November 5, 2002 Date  Total number of pages including cover sheet, attachments and document:3	
OMB No. 0651-0011 (exp. 4/94)	
Do not detach this portion	
Mail documents to be recorded with required cover sheet information to:	
11/15/2002 DBYRNE 00000107 1288389 Commissioner of Patents and Trademarks Box Assignments Washington, D.C. 20231	

NUNC PRO TUNC ASSIGNMENT OF U.S. TRADEMARK REGISTRATION 1,288,389

WHEREAS, Kwik Farms, Inc., a New York corporation with a place of business

at 125 Jericho Turnpike, Jericho, New York 11753 (hereinafter "ASSIGNOR") was the owner

of United States Trademark Registration No. 1,288,389 which issued on July 31, 1984 for the

mark "KWIK FARMS and Design" (hereinafter "the Trademark"), and the goodwill of the

business symbolized by the Trademark;

WHEREAS, on August 31, 1989, ASSIGNOR did assign the Trademark and the

goodwill of the business symbolized by the Trademark, together with United States Trademark

Registration 1,288,389 for "KWIK FARMS and Design" to Getty Properties Corp., a Delaware

corporation with a place of business at 125 Jericho Turnpike, Jericho, New York 11753

(hereinafter "ASSIGNEE"); and

WHEREAS, ASSIGNOR and ASSIGNEE are desirous of making this

Assignment a matter of record in the U.S. Patent and Trademark Office.

NOW, THEREFORE, for good and valuable consideration, the full receipt and

sufficiency of which are hereby acknowledged, and intending to be legally bound hereby,

ASSIGNOR hereby acknowledges that it did on August 31, 1989, sell, assign, transfer and

convey unto ASSIGNEE all of its right, title and interest in the Trademark, including any choses

in action relating to the Trademark, claims for damages, profits and costs, both in equity and law,

for any infringement or infringements of the Trademark accruing on or before the date of this

Assignment, together with the goodwill of the business symbolized by the Trademark, and

including the registration thereof as set forth above; and further, ASSIGNOR hereby covenants,

agrees and undertakes to execute, whenever requested by ASSIGNEE, all applications,

PHIP\330121\1

TRADEMARK REEL: 2618 FRAME: 0738 assignments, lawful oaths and any other papers which ASSIGNEE may deem necessary or desirable for securing to ASSIGNEE or for maintaining for ASSIGNEE the Trademark hereby acknowledged to have been assigned, all without further compensation to ASSIGNOR.

KWIK FARMS, INC.

BY:

LEO LIEBÓWITZ

President

STATE OF NEW YORK

SS

COUNTY OF NASTAN

BEFORE ME, the undersigned Notary Public, on this 29th day of October, 2002, personally appeared Leo Liebowitz, personally known to me (or proven to me on the basis of satisfactory evidence) to be the person who executed the foregoing instrument as President on behalf of Kwik Farms, Inc., the corporation therein named, and acknowledged to me that the instrument was the free deed and act of said corporation for the purposes therein set forth and intending that this instrument be recorded.

[SEAL]

CHRISTINA DEJESUS
Notary Public, State of New York
No. 01DE6062344
Qualified in Nassau County

Commission Expires August 6. 2005

**RECORDED: 11/13/2002**