

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



U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

102286802

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

1. Name of conveying party(ies): Rosenberger's Dairies, Inc. 10-19-02
Individual(s) Association
General Partnership Limited Partnership
Corporation-State
Other
Additional name(s) of conveying party(ies) attached? Yes No

2. Name and address of receiving party(ies)
Name: Rosenberger's Dairies, LLC
Internal Address:
Street Address: 847 Forty Foot Road
City: Hatfield State: PA Zip: 19440
Individual(s) citizenship
Association
General Partnership
Limited Partnership
Corporation-State
Other Limited Liability Company/Delaware
If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No
(Designations must be separate document from assignment)
Additional name(s) & address(es) attached? Yes No

3. Nature of conveyance:
Assignment Merger
Security Agreement Change of Name
Other
Execution Date: 10/1/2002

4. Application number(s) or registration number(s):
A. Trademark Application No.(s)
B. Trademark Registration No.(s) 2,066,848
Additional number(s) attached Yes No

5. Name and address of party to whom correspondence concerning documents should be mailed:
Name: Michael Clogan
Internal Address: Strasburger & Price, LLP
Street Address: 901 Main Street Suite 4300
City: Dallas State: TX Zip: 75202

6. Total number of applications and registrations involved: 1
7. Total fee (37 CFR 3.41) \$ 40.00
Enclosed
Authorized to be charged to deposit account
8. Deposit account number: 19-4547

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9. Signature.
Michael Clogan Signature October 15, 2002 Date
Name of Person Signing

Total number of pages including coversheet, attachments, and document: 4

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

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Delaware

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The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED ARE TRUE AND CORRECT COPIES OF ALL DOCUMENTS ON FILE OF "ROSENBERGER'S DAIRIES, LLC" AS RECEIVED AND FILED IN THIS OFFICE.

THE FOLLOWING DOCUMENTS HAVE BEEN CERTIFIED:

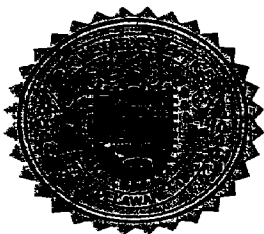
CERTIFICATE OF FORMATION, FILED THE TWENTY-FIFTH DAY OF SEPTEMBER, A.D. 2002, AT 5:30 O'CLOCK P.M.

CERTIFICATE OF MERGER, FILED THE FIRST DAY OF OCTOBER, A.D. 2002, AT 3:30 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE FIRST DAY OF OCTOBER, A.D. 2002, AT 5 O'CLOCK P.M.

CERTIFICATE OF MERGER, FILED THE SECOND DAY OF OCTOBER, A.D. 2002, AT 12:30 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE AFORESAID CERTIFICATES ARE THE ONLY CERTIFICATES ON RECORD OF THE AFORESAID LIMITED LIABILITY COMPANY.



Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

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AUTHENTICATION: 2025230

DATE: 10-08-02

TRADEMARK
REEL: 002624 FRAME: 0211

CERTIFICATE OF MERGER
of
ROSENBERGER'S DAIRIES, INC.
with and into
ROSENBERGER'S DAIRIES, LLC

Pursuant to Section 18-209 of the Delaware Limited Liability Company Act (the "Act"), the undersigned surviving limited liability company submits the following Certificate of Merger for filing and certifies that:

1. The name and jurisdiction of formation or organization of the limited liability company and the corporation which are to merge are:

<u>Name</u>	<u>Jurisdiction</u>
Rosenberger's Dairies, Inc.	Pennsylvania
Rosenberger's Dairies, LLC	Delaware

2. An Agreement and Plan of Merger (the "Merger Agreement") has been approved and executed in accordance with the provisions of Section 18-209 of the Act by the domestic limited liability company and the Pennsylvania corporation which are to merge.
3. The name of the surviving limited liability company is ROSENBERGER'S DAIRIES, LLC.
4. The Merger Agreement is on file at the place of business of the surviving limited liability company located at 847 Forty Foot Road, Hatfield, Pennsylvania, 19440.
5. A copy of the Merger Agreement will be furnished by the surviving limited liability company on request and without cost to any member of the domestic limited liability company or any stockholder in the Pennsylvania corporation which is to merge.
6. The Merger shall be effective at 5:00 PM, Eastern Daylight Time on October 1, 2002.


IN WITNESS WHEREOF, this Certificate of Merger has been duly executed as of October 1, 2002, and is being filed in accordance with Section 18-209 of the Act by an authorized person of the surviving limited liability company in the merger.

Sep. 30. 2002 9:24AM

No. 5132 P. 4

ROSENBERGER'S DAIRIES, LLC

By: Flav-O-Rich, Inc., Its Sole Member

By: 
David A. Geisler
Title: Vice President/Secretary

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