

MKD 8-24-98

09-10-1998



HEET  
ILY

Docket No.:

7723

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100825431

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

1. Name of conveying party(ies):

**MARTORI BROS. DISTRIBUTORS**



08-24-1998

U.S. Patent & TMOfr/TM Mail Rpt Dt. #1

- Individual(s)
- General Partnership
- Corporation-State
- Other

Additional names(s) of conveying party(ies)  Yes  No

3. Nature of conveyance:

- Assignment  Merger
- Security Agreement  Change of Name
- Other

Execution Date: AUGUST 5, 1998

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

Name: PHOENIX AGRO-INVEST, INC.

Internal Address: \_\_\_\_\_

Street Address: 7332 EAST BUTHERUS

City: SCOTTSDALE State: AZ ZIP: 85260

Individual(s) citizenship \_\_\_\_\_

Association \_\_\_\_\_

General Partnership \_\_\_\_\_

Limited Partnership \_\_\_\_\_

Corporation-State ARIZONA

Other \_\_\_\_\_

If assignee is not domiciled in the United States, a domestic designation is  Yes  N

(Designations must be a separate document from

Additional name(s) & address(es)  Yes  N

4. Application number(s) or registration numbers(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

665,834      1,140,949      1,874,084  
1,468,568

Additional numbers  Yes  No

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

Name: LINDA M. ROBB

Internal Address: ATTORNEY AT LAW

Street Address: 720 E. SUNKIST STREET

City: ONTARIO State: CA ZIP: 91761

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

4

7. Total fee (37 CFR 3.41):.....\$ \$115.00

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

130300

09/09/1998 JSMBRZZ 00000115 130300 665834

DO NOT USE THIS SPACE

01 FC:481      48.00 CH  
02 FC:482      75.00 CH

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.

LINDA M. ROBB

Name of Person Signing

Signature

8/17/98

Date

Total number of pages including cover sheet, attachments, and

2

TRADEMARK  
REEL: 1784 FRAME: 0939

ASSIGNMENT

WHEREAS, MARTORI BROS. DISTRIBUTORS, a partnership composed of, Stephen A. Martori, Arthur J. Martori, Anthony F. Martori and the Estate of Ruth M. Martori (Beneficial Interest) located and doing business at 7332 East Butherus, Scottsdale, Arizona, adopted and used in its business and is the owner of certain trademarks which are registered in the United States Patent and Trademark Office as follows:

| <u>Trademark</u> | <u>Registration No.</u> | <u>Date Granted</u> |
|------------------|-------------------------|---------------------|
| BIMBO            | 665,834                 | Aug. 12, 1958       |
| CANDY            | 1,140,949               | Oct. 28, 1980       |
| DEER VALLEY      | 1,874,084               | Jan. 17, 1995       |
| KANDY            | 1,468,568               | Dec. 08, 1987       |

WHEREAS, PHOENIX AGRO-INVEST, INC. dba Martori Farms located and doing business at 7332 East Butherus, Scottsdale, Arizona has heretofore acquired said trademarks from said MARTORI BROS. DISTRIBUTORS and the registrations thereof; and

WHEREAS, the respective parties desire to further evidence the transfer thereof.

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) to it in hand paid and other good and valuable consideration, the receipt of which is hereby acknowledged, said MARTORI BROS. DISTRIBUTORS by these presents does sell, assign and transfer unto the said PHOENIX AGRO-INVEST, INC., dba Martori Farms, the entire right, title and interest in and to the trademarks BIMBO, Registration No. 665,834, CANDY, Registration No. 1,140,949, DEER VALLEY, Registration No. 1,874,084 and KANDY, Registration No. 1,468,568 together with that part of the good will of the business connected with the use of and symbolized by said marks.

IN WITNESS WHEREOF, said MARTORI BROS. DISTRIBUTORS hereby executes this assignment this 5th day of AUGUST, 1998

MARTORI BROS. DISTRIBUTORS

By 

Name:

Title: Partner