

3-22-01

RECORDATIC  
TRAD.



101654503

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

New

Resubmission (Non-Recordation)  
Document ID#

Correction of PTO Error  
Reel #  Frame #

Corrective Document  
Reel #  Frame #

Conveyance Type

Assignment  License

Security Agreement  Nunc Pro Tunc Assignment

Merger  
Effective Date  
Month Day Year  
 12/30/00

Change of Name

Other

Conveying Party

Mark if additional names of conveying parties attached

Name  John Sexton & Co.

Execution Date  
Month Day Year  
 12/8/00

Formerly

Individual  General Partnership  Limited Partnership  Corporation  Association

Other

Citizenship/State of Incorporation/Organization  Delaware

Receiving Party

Mark if additional names of conveying parties attached

Name  JP Foodservice Distributors, Inc.

DBA/AKATA

Composed of

Address (line 1)

Address (line 2)  9755 Patuxent Woods Drive

Address (line 3)  Columbia

City

MD

State/Country

21046

Zip Code

Individual  General Partnership  Limited Partnership  Corporation  Association

Other

If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment)

Citizenship/State of Incorporation/Organization  Delaware

FOR OFFICE USE ONLY

04/02/2001 TDIAZ1 00000135 75620341

01 FC:481

40.00 OP

02 FC:482

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C., 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C., 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

TRADEMARK  
REEL: 002256 FRAME: 0501

**Domestic Representative Name and Address** Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Correspondent Name and Address** Area Code and Telephone Number (703) 610-6158

Name Celia G. Spiritos

Address (line 1) Hogan & Hartson L.L.P.

Address (line 2) 8300 Greensboro Drive

Address (line 3) Suite 1100

Address (line 4) McLean, Virginia 22102

**Pages** Enter the total number of pages of the attached conveyance document including any attachments. # 6

**Trademark Application Number(s) or Registration Number(s)**  Mark if additional numbers attached  
Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)		
75/620,341	and 11 others	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

Registration Number(s)		
1,005,417	and 45 others	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

**Number of Properties** Enter the total number of properties involved. # 58

**Fee Amount** Fee Amount for Properties Listed (37 CFR 3.41): \$ 1465.

Method of Payment: Enclosed  Deposit Account

Deposit Account (Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number: # 08-2550

Authorization to charge additional fees: Yes  No

**Statement and Signature**

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Celia G. Spiritos  
Name of Person Signing

Celia G. Spiritos  
Signature

2001  
Date Signed

John Sexton & Co. to  
JP Foodservice Distributors, Inc.

Schedule A

ALAMO	1,005,417
BELLAGIO (Stylized)	1,203,867
BELLAGIO (Stylized)	1,202,202
CARLISLE	1,270,656
CHATEAU CLASSIQUE	1,023,863
CLASSIQUE TUREEN	1,351,942
CONNOISSEUR	635,298
CONNOISSEUR CLASSIQUE	
CONNOISSEUR CLASSIQUE	75/620,341
CONNOISSEUR CLASSIQUE (& Design)	75/620,340
CONNOISSEUR CLASSIQUE (& Design)	75/979,777
CONNOISSEUR RYKOFF-SEXTON	75/627,002
CONNOISSEUR RYKOFF-SEXTON	75/627,003
CONNOISSEUR RYKOFF-SEXTON	2,425,681
CONNOISSEUR RYKOFF-SEXTON (& Design)	2,407,146
CONNOISSEUR RYKOFF-SEXTON (& Design)	2,407,147
CONSUL	1,134,462
CRÈME D'ITALIA	1,059,991
CYGNET	2,261,217
CYGNET	2,261,218
CYGNET MENU MANAGEMENT SYSTEM	2,014,202
DELICATO	1,238,610
ECONO-STEEL	1,274,125
FRESCO	1,130,245
GOLDEN CROWN	75/583,839
HINT OF MINT	1,516,590
HORIZON (& Design)	2,236,955
MASSIMO	841,714
MASSIMO	2,023,416
MEDITERRANEAN	1,027,473
MILIFORE	2,371,345
MILIFORE (& Design)	2,018,997
MILIFORE (& Design)	75/754,727
MILIFORE (Stylized)	1,028,054
OLDE BAY	1,522,789
PACIFIC JADE	75/623,050
PACIFIC JADE	75/623,064
PACIFIC JADE	2,291,267

PACIFIC JADE	2,402,754
PACIFIC JADE	2,402,753
PACIFIC JADE (& Design)	2,430,350
PACIFIC JADE (& Design)	2,292,922
PACIFIC JADE (& Design)	2,400,861
PACIFIC JADE (& Design)	75/623,065
PACIFIC JADE (& Design)	75/623,066
PACIFIC-JADE (Stylized)	1,507,420
PACIFIC-JADE (Stylized)	1,553,071
PARIS	947,995
PEBBLES	1,796,784
RYKOFF SEXTON PAN REDDY (& Design)	1,968,111
SEA SHELL	1,799,957
SERCO BREEZE	1,135,559
SERCO ROSE	798,347
SERCO SHELL	1,134,459
SERCO SOF-WHITE	1,689,866
SERCO-ATLANTIS	1,589,747
SERCO-KEY (Stylized)	1,523,532
TRU-BLEU	1,078,000

State of Delaware  
Office of the Secretary of State

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PAGE 1

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"JOHN SEXTON & CO.", A DELAWARE CORPORATION,

WITH AND INTO "JP FOODSERVICE DISTRIBUTORS, INC." UNDER THE NAME OF "JP FOODSERVICE DISTRIBUTORS, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE EIGHTEENTH DAY OF DECEMBER, A.D. 2000, AT 9:12 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF OWNERSHIP IS THE THIRTIETH DAY OF DECEMBER, A.D. 2000, AT 10 O'CLOCK A.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



A handwritten signature in cursive script, reading "Edward J. Freel".

Edward J. Freel, Secretary of State

2193879 8100M

AUTHENTICATION: 0864905

001633024

DATE: 12-19-00

TRADEMARK  
REEL: 002256 FRAME: 0505

**CERTIFICATE OF OWNERSHIP AND MERGER**

**OF**

**JOHN SEXTON & CO.  
(a Delaware corporation)**

**INTO**

**JP FOODSERVICE DISTRIBUTORS, INC.  
(a Delaware corporation)**

**(Under Section 253 of the General  
Corporation Law of the State of Delaware)**

JP Foodservice Distributors, Inc., a corporation existing under the laws of Delaware (the "Successor Corporation"), hereby certifies that:

**FIRST:** The Successor Corporation is a business corporation of the State of Delaware.

**SECOND:** The Successor Corporation owns all of the outstanding shares of the stock of John Sexton & Co., which is also a business corporation of the State of Delaware (the "Merging Corporation").

**THIRD:** On December 8, 2000, the Board of Directors of the Successor Corporation adopted the following resolutions to merge the Merging Corporation into the Successor Corporation (the "Merger"):

**RESOLVED:** That it is advisable and in the best interest of JP Foodservice Distributors, Inc. (the "Corporation") to enter into, and the Board of Directors hereby approves, the merger of John Sexton & Co., a Delaware corporation (the "Subsidiary") with and into the Corporation, as the sole stockholder of the Subsidiary, including the assumption of all of the Subsidiary's obligations, in accordance with Section 253 of the Delaware General Corporation Law (the "Merger").

**RESOLVED:** That the appropriate officers of the Corporation are authorized and directed, in the name of and on behalf of the Corporation to execute, acknowledge, seal and file the documents prescribed by the laws of the State of Delaware and by the laws of any other appropriate jurisdiction in order to consummate the Merger, and to take all other actions determined by such officers to be necessary or appropriate to fulfill the purposes of these resolutions.

**RESOLVED:** That the effective time of the Certificate of Ownership and Merger setting forth a copy of these resolutions, and the time when the Merger shall become effective shall be 10:00 a.m., Baltimore, Maryland time, December 30, 2000.

**FOURTH:** The merger shall be effective at 10:00 a.m., Baltimore, Maryland time, December 30, 2000.

IN WITNESS WHEREOF, JP Foodservice Distributors, Inc. has caused this certificate to be signed by David M. Abramson, its authorized officer, on the 8<sup>th</sup> day of December, 2000.

JP FOODSERVICE DISTRIBUTORS, INC.

By: 

David M. Abramson  
Executive Vice President

**JP FOODSERVICE DISTRIBUTORS, INC.**

**ACTION OF DIRECTORS BY UNANIMOUS WRITTEN CONSENT**

The undersigned, being all of the directors of JP Foodservice Distributors, Inc., a Delaware corporation (the "Corporation"), hereby consents to the adoption of the following resolutions in lieu of holding a special meeting of the Board of Directors of the Corporation, and the recording of the resolution among the minutes of the proceedings of the Board of Directors of the Corporation:

RESOLVED: That it is advisable and in the best interest of JP Foodservice Distributors, Inc. (the "Corporation") to enter into, and the Board of Directors hereby approves, the merger of John Sexton & Co., a Delaware corporation (the "Subsidiary") with and into the Corporation, as the sole stockholder of the Subsidiary, including the assumption of all of the Subsidiary's obligations, in accordance with Section 253 of the Delaware General Corporation Law (the "Merger").

RESOLVED: That the appropriate officers of the Corporation are authorized and directed, in the name of and on behalf of the Corporation to execute, acknowledge, seal and file the documents prescribed by the laws of the State of Delaware and by the laws of any other appropriate jurisdiction in order to consummate the Merger, and to take all other actions determined by such officers to be necessary or appropriate to fulfill the purposes of these resolutions.

RESOLVED: That the effective time of the Certificate of Ownership and Merger setting forth a copy of these resolutions, and the time when the Merger shall become effective shall be 10:00 a.m., Baltimore, Maryland time, December 30, 2000.

RESOLVED: That the Merger is intended to qualify as a tax-free liquidation of a subsidiary corporation under Sections 332 and 337 of the Internal Revenue Code.

IN WITNESS WHEREOF, the undersigned has executed this Action of Directors by Unanimous Written Consent, effective as of this 8<sup>th</sup> day of December, 2000.

  
\_\_\_\_\_  
James L. Miller

  
\_\_\_\_\_  
David M. Abramson



03-22-2001

U.S. Patent &amp; TMO/c/TM Mail Rpt Dt. #70

John Sexton & Co. to  
JP Foodservice Distributors, Inc.

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