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PATENTS ONLY

Attorney Docket Number : 88265-384



TO THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS

Box Assignment

Washington, DC 20231

Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Christine ZERBY
Ronald Paul Duffell MACDONALD
Brian MAKELA

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

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

NESTEC S.A.
Avenue Nestlé 55
CH-1800 Vevey
SWITZERLAND

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: **December 5, 2000**4. Application number(s) or patent number(s): **(09/712,265, Filed: November 15, 2000)**

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s) _____

B. Patent No.(s) _____

Additional numbers attached? ☐ Yes ☒ No

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

WINSTON & STRAWN
 200 Park Avenue
 New York, NY 10166-4193

6. Number of applications and patents involved: 1

7. Total fee (37 CFR 3.41):.....\$ **40.00**
 Please charge to the deposit account listed in Section 8.

8. Deposit account number: **501-814**

05/02/2001 DBYRNE 00000189 501814 09712265
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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.

Allan A. Fanucci Reg. No. 30,256

Signature

Date

4/20/01

Total number of pages including cover sheet:

3

Mail documents to be recorded with required cover sheet information to:
 Commissioner of Patents & Trademarks, Box Assignment
 Washington, D.C. 20231

ASSIGNMENT

WHEREAS, WE, Christine ZERBY, Ronald Paul Duffell MACDONALD and Brian MAKELA, ASSIGNORS, citizens of the United States, Canada, and the United States respectively, residing at 4500 Township Road 21, Marengo, OH 43334, 17819 Brownschool Road, Marysville, OH 43040-9210 and 6173 Craughwell Lane, Dublin, OH 43017, respectively, are the inventors of the invention in LAMINATED CANDY PRODUCTS MADE BY AN EXTRUSION PROCESS for which we have executed an application for a Patent of the United States

☒ which is executed on ☒ even date herewith or ☐ _____

☒ which is identified by Pennie & Edmonds LLP docket no. 8265-384

☐ which was filed on , Application No.

and WHEREAS, NESTEC S.A., ASSIGNEE having a place of business at Avenue Nestle 55, CH-1800 Vevey, Switzerland is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuin, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date December 5, 2000 Christine Zerby L.S.
Christine ZERBY

State of Ohio
County of Union } SS.:)

On this 5th day of December, 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared Christine ZERBY, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

John M. Howard
JOHN M. HOWARD
NOTARY PUBLIC
OF COUNTY, STATE OF OHIO
COMMISSION EXPIRES 7-27-2005
NESTLE R & D CENTER, INC.
809 Collins Ave.
Marysville, Ohio 43040

Date 5 Dec 2000, 2000

Ronald Paul Duffell MACDONALD
Ronald Paul Duffell MACDONALD

L.S.

State of Ohio)
County of Union) SS.:

On this 5th day of December, 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared Ronald Paul Duffell MACDONALD, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

John M. Howard
JOHN M. HOWARD
UNION COUNTY, STATE OF OHIO
MY COMMISSION EXPIRES 7-27-2005
NESTLE R & D CENTER, INC.
809 Collins Ave.
Marysville, Ohio 43040
Notary Public.

Date December 5, 2000

Brian MAKELA
Brian MAKELA

L.S.

State of Ohio)
County of Union) SS.:

On this 5th day of December, 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared Brian MAKELA, to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.

John M. Howard
JOHN M. HOWARD
UNION COUNTY, STATE OF OHIO
MY COMMISSION EXPIRES 7-27-2005
NESTLE R & D CENTER, INC.
809 Collins Ave.
Marysville, Ohio 43040
Notary Public.