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Attorney Docket Number: 88265-6955

TO THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS

Box Assignments

Washington, DC 20231 Please record the attached original documents or copy thereof. 2. Name and address of receiving party: 1. Name of conveying party: (Executed: 8/16/01) **Christine ZERBY** Ronald Paul Duffell MACDONALD (Executed: 8/16/01) **NESTEC S.A.** (Executed: 8/16/01) **Brian MAKELA** Avenue Nestlé 55 Additional names attached? ☐Yes ⊠No 1800 Vevev Switzerland 09/939892 3. Nature of conveyance: and SOCIÉTÉ DES PRODUITS NESTLÉ S.A. ☐ Change of Name Security Agreement P.O. Box 353 1800 Vevev Other: **Switzerland** 4. Application numbers or patent numbers: If this document is being filed with a new application, the execution date of the application is: August 22, 2001 B. Patent No. A. Patent Application No. Additional numbers attached?

Yes

No Number of applications 5. Mail correspondence to: and patents involved:...... 1 7. Total fee (37 CFR 3.41):\$ 40.00 WINSTON & STRAWN Please charge deposit account listed in Section 8. 200 Park Avenue New York, New York 10166-4193 8. Deposit account number: 501-814 09/0<mark>5/2001 DBYRNE 00000121 501814 09939892</mark> DO NOT USE THIS SPACE 40.00 CH 01 FC:581 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. For: Allan A. Fanucci (Reg. No. 30,256)

Signature

Signature 4 Total number of pages including cover sheet:

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

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8/24/01

PATENT REEL: 012128 FRAME: 0397

ASSIGNMENT

WHEREAS, We,

Christine ZERBY, a citizen of the United States residing at 4500 Township Road 21, Marengo, OH 43334;

Ronald Paul Duffell MACDONALD, a citizen of Canada residing at 17819 Brownschool Road, Marysville, OH 43040-9210;

Brian MAKELA, a citizen of the United States residing at 6173 Craughwell Lane, Dublin, Ohio 43017;

ASSIGNORS, are the inventors of the invention in PROCESS FOR MOLDING LAMINATED CANDY AND RESULTANT PRODUCTS THEREOF, for which we have executed an application for a Patent of the United States

which is executed on even date herewith which is identified by Winston & Strawn Docket No. 88265-6955

WHEREAS, NESTEC S.A., a Swiss corporate body having a place of business at Avenue Nestlé 55, 1800 Vevey, Switzerland, FIRST ASSIGNEE, is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application in the United States; and

WHEREAS, SOCIÉTÉ DES PRODUITS NESTLÉ S.A., a Swiss corporate body having a place of business at P.O. Box 353, 1800 Vevey, Switzerland, SECOND ASSIGNEE, is desirous of obtaining our entire right title and interest to file corresponding international patent applications in all other countries.

NOW, THEREFORE, in exchange for good and valuable consideration to us in hand paid, 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, (1) unto the said FIRST ASSIGNEE, its successors, legal representatives and assigns, our 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 Patents of the United States which may be granted thereon and all reissues and extensions thereof; and (2) unto the said SECOND ASIGNEE, its successors, legal representatives and assigns our right, title and interest in to and under 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 other than 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

Page 1 of 3 Pages

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, 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 FIRST or SECOND ASSIGNEE, as appropriate or 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 FIRST and SECOND ASSIGNEES, 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, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said FIRST and SECOND ASSIGNEES or, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

Page 2 of 3 Pages

Date August 2001	Ronald Paul Suffell Monold
STATE OF OHIO	•
COUNTY OF UNION)	
appeared Ronald Paul Duffell MACDO	NALD, to me known and known to be to be the going instrument and acknowledged the same to be
	Notary Public M. Howard
July 27, 2005 My Commission Expires	·
8/16/01	BiNG
Date	Brian MAKELA
STATE OF OHIO) COUNTY OF UNION)	
	August, 2001, before me personally and known to be to be the person of that name, acknowledged the same to be his free act and deed. Notary Public
July 27, 2005	
My Commission Expires	

Page 3 of 3 Pages