

10-28-2002

PATENT RECORDATION FORM COVER SHEET



1-0048 -- kmm

102263180

To the Commissioner for Patents: Please record the attached original document or copy thereof.

1. Name of conveying party(ies):

(1) Dairy Marketing Alliance, LLC

(2)

(3)

10-22-02

Additional name(s) of conveying party(ies) attached? [] Yes [X] No

3. Nature of Conveyance:

[X] Assignment [] Merger [] Security Agreement

[] Change of Name [] Other _____

Execution Date: August 1, 2002

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

Name: Land O'Lakes, Inc.

Internal Address: _____

Street Address: 4001 Lexington Avenue North

City: Arden Hills, State: MN, ZIP 55126

Additional name(s) & address(es) attached? [] Yes [X] No

4A. Application No.(s)

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

Additional numbers attached? [] Yes [X] No

4B. Patent No.(s)

Des. 428,813

Additional numbers attached? [] Yes [X] No

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

Name: Peter J. Ims

Street Address: Kinney & Lange, P.A.,

312 South Third Street

City: Minneapolis State: MN ZIP 55415-1002

6. Total number of applications and patents involved: [1]

7. Total fee (37 C.F.R. 3.41):.....\$ 40.00

DO NOT USE THIS SPACE

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.

Peter J. Ims

October 17, 2002

Date

Total number of pages including cover sheet, attachments and document: [3]

OFFICE OF PUBLIC RECORDS
2002 OCT 22 PM 1:29
FINANCE SECTION

10/25/2002 6TDM11 00000187 DES428813

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40.00 DP

PATENT ASSIGNMENT

WHEREAS, Dairy Marketing Alliance, LLC (hereafter "Assignor"), a Delaware Limited Liability Company, having an address of 4001 Lexington Avenue North, Arden Hills, Minnesota 55126, is the owner of U.S. Patent No. Des. 428,813, entitled "Beverage Container", with issuance of Letters Patent on August 1, 2000, and the invention or inventions described and claimed therein (hereafter the "Patent Property"); and

WHEREAS, Land O'Lakes, Inc. (hereafter "Assignee"), a Minnesota Cooperative Corporation, having an address of 4001 Lexington Avenue North, Arden Hills, Minnesota 55126, desires to acquire all right, title and interest in and to the Patent Property.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby sell, assign, transfer and set over to Assignee, all its right, title and interest in and to the Patent Property, as well as all provisionals, continuations, divisions, and continuations-in-part of said Patent Property, and all reissues and extensions thereof, the same to be held and enjoyed by Assignee for its own use and benefit, and for the use and benefit of its successors, assigns, or legal representatives, to the end of the term or terms for which such Patent Property may be granted or reissued, as fully and entirely as the same would have been held and enjoyed by Assignor if this assignment and sale had not been made.

Assignor also assigns to Assignee, all right, title and interest in and to the invention disclosed in said Patent Property throughout the world, including the right to file applications and obtain patents, utility models, industrial models and designs for said Patent Property in its own name throughout the world, including all rights to publish cautionary notices

reserving ownership of said inventions and all rights to register said Patent Property in appropriate registries; and Assignor further agrees to execute any and all powers of attorney, applications, assignments, declarations, affidavits, and any other papers in connection therewith necessary to perfect such right, title and interest in Assignee.

Assignor also assigns unto Assignee all claims for damages by reason of infringement prior to the assignment date of the Patent Property throughout the world, with the right to sue for and collect the same for its own use and benefit, and for the use and benefit of its successors, assigns and other legal representatives.

Assignor also will communicate to Assignee any facts known to it respecting any improvements; and, at the expense of Assignee, will testify in any legal proceedings, sign all lawful papers, execute all provisional, divisional, continuation, continuation-in-part, reissue and substitute applications, make lawful oaths and declarations, and generally do everything possible to vest title in Assignee and to aid Assignee to obtain and enforce proper protection for said Patent Property in all countries.

IN WITNESS WHEREOF, the parties have caused this Patent Assignment to be executed on the dates and in the capacities shown below.

Dairy Marketing Alliance, LLC

By: RES. J.
Its: Secretary
Date: August 1, 2002

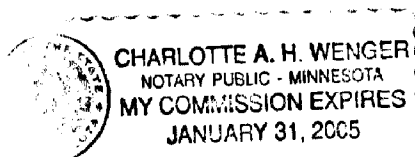
Land O'Lakes, Inc

By: [Signature]
Its: Vice President/General Counsel
Date: August 1, 2002

STATE OF MINNESOTA §
COUNTY OF Ramsey §

Before me, the undersigned, a Notary Public on this day personally appeared Peter S. Janzen, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Dairy Marketing Alliance, LLC, a Delaware Limited Liability Company, and that he/she had executed the same as the act of such corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 1st day of August, 2002.

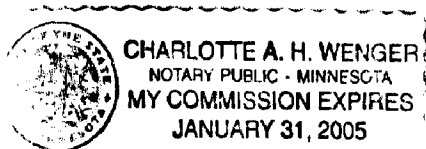


Charlotte A. H. Wenger
Notary Public in and for
the State of Minnesota

STATE OF MINNESOTA §
COUNTY OF Ramsey §

Before me, the undersigned, a Notary Public on this day personally appeared John T. Rebane, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Land O'Lakes, Inc., a Minnesota Cooperative Corporation, and that he/she had executed the same as the act of such corporation for the purpose and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office, this 1st day of August, 2002.



Charlotte A. H. Wenger
Notary Public in and for
the State of Minnesota