

10-02-2003



FORM PTO-1595  
(Rev. 10/02) OFFICE OF PUBLIC RECORDS  
OMB No. 0651-0027  
(exp. 6/30/2005)

2003 SEP 30 PM 6: 53

102564813

**PATENTS ONLY**

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Attorney Docket No. 64384;  
64385; 64387; 64388; 64389;  
64390; 64391; 64392

FINANCE SECTION

To the Director of the United States Patent and Trademark Office: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): 93003  
Bagcraft Corporation of America  
Additional name(s) of conveying party(ies) attached?  Yes  No

2. Name and address of receiving party(ies)  
Name: Bagcraft Acquisition, L.L.C.  
Internal Address: \_\_\_\_\_  
Street Address: 100 Tri-State  
City: Lincolnshire State: Illinois ZIP: 60669  
Additional name(s) and address(es) attached?  Yes  No

3. Nature of conveyance:  
 Assignment  Merger  
 Security Agreement  Change of Name  
 Other Corrective Document: Declaration re: Typographical Error  
Execution Date: September 23, 2003

4. Application number(s) or patent number(s):  
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) 5,365,720; 5,335,996; 5,163,756; 5,009,518; 4,993,845; 4,991,980; 4,863,287; 4,798,574;  
Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:  
Name: Philip T. Petti  
FITCH, EVEN, TABIN & FLANNERY  
Internal Address: \_\_\_\_\_  
Street Address: Suite 1600  
120 South LaSalle Street  
City: Chicago State: IL ZIP: 60603-3406

6. Total number of applications and patents involved: 8  
7. Total fee (37 CFR 3.41).....\$ 320.00  
 Enclosed  
 Authorized to be charged to deposit account  
8. Deposit Account Number:  
06-1135  
(Attach duplicate copy of this page if paying by deposit account)

10/01/2003 GTON11 00000158 061135 5365720 DO NOT USE THIS SPACE

01 C78021 320.00 DA  
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.*  
Philip T. Petti 31,651 Philip T. Petti 9/25/2003  
Name of Person Signing Registration No. Signature Date

Total number of pages including cover sheet, attachments, and document: 17

Fax documents to be recorded with required cover sheet information to (703) 306-5995  
Mail documents to be recorded with required cover sheet information to:  
Mail Stop Assignment Recordation Services, Director of the United States Patent and Trademark Office  
P.O. Box 1450, Alexandria, VA 22313-1450

**PATENT**  
**REEL: 014532 FRAME: 0547**

## DECLARATION

I, Donald E. Wolski, hereby declare the following:

1. I am Vice President of Operations of PACKAGING DYNAMICS L.L.C. ("Packaging Dynamics"), having a principal place of business at 3900 W. 43rd Street, Chicago, Illinois 60632. As of June 1998, I was Vice President of Operations of Bagcraft Corporation of America, an Illinois Corporation in 1998, and I was Vice President of Operations of Bagcraft Acquisition, L.L.C. in 1999.

2. Packaging Dynamics is the successor in interest of Bagcraft Corporation of America and Packaging Acquisition, L.L.C. with respect to the trademarks, patents and copyrights listed below:

### United States Trade Mark Registrations

<u>MARK</u>	<u>REGISTRATION NO.</u>	<u>REGISTRATION DATE</u>
DUBL-WAX	2,185,943	09/01/98
BAGCRAFT	1,964,134	03/26/96
DUBL-HANDL	1,558,630	09/26/89
GRAZING BAGS	1,541,512	05/30/89
DUBL-CLEAR	1,533,089	04/04/89
TRIO	1,531,969	03/28/89
CAMEO	1,531,968	03/28/89
IDENTO	1,531,967	03/28/89
DUBL-FRESH	804,067	02/22/66
DUBL-PANEL	775,159	08/18/64
OPEN SESAME	746,055	03/05/63
BAGCRAFT	602,576	03/01/55

### Canadian Trademark Registrations

BAGCRAFT	273,447	11/05/82
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**United States Patents**

U.S. Patent No. 5,365,720; Issued: November 11, 1994; Inventor: Joseph Bunch; Titled: "METHOD OF MAKING WINDOW BAG ASSEMBLY WITH HIGH RESOLUTION GRAPHIC CONTENT REPLICATING INDICIA;" Attorney Docket No. 64384.

U.S. Patent No. 5,335,996; Issued: August 9, 1994; Inventor: Jeffrey J. Cortopassi et al.; Titled: "OPENABLE BAG CONSTRUCTION;" Attorney Docket No.64385.

U.S. Patent No. 5,163,756; Issued: November 17, 1992; Inventor: David A. Riseman; Titled: "BAG CONSTRUCTION WITH AUXILIARY FLAP;" Attorney Docket No. 64387.

U.S. Patent No. 5,009,518; Issued: April 23, 1991; Inventor: Mark Faltynek; Titled: "WINDOW-STYLE BAG WITH INTEGRAL COUPON;" Attorney Docket No. 64388.

U.S. Patent No. 4,993,845; Issued: February 19, 1991; Inventor: Mark Faltynek; Titled: "Coupon Pocket Bag;" Attorney Docket No. 64389.

U.S. Patent No. 4,991,980; Issued: February 12, 1991; Inventor: Alden M. Cohen et al.; Titled: "BAG WITH AUXILIARY POCKET AND VIEWING WINDOW;" Attorney Docket No. 64390.

U.S. Patent No. 4,863,287; Issued: September 5, 1989; Inventor: Ronald Marsik; Titled: "WAXED BAG WITH WAX-FREE AREA;" Attorney Docket No. 64391.

U.S. Patent No. 4,798,574; Issued: January 17, 1989; Inventor: Ronald Marsik; Titled: "METHOD OF MAKING A BAG WITH A BARRIER MATERIAL; METHOD OF COATING PAPER FOR MAKING PAPER BAGS;" Attorney Docket No. 64392.

**Canadian Patents**

Canadian Patent No. 2,029,672; Filed: November 9, 1990; Inventor: Cohen; Titled: "BAG WITH AUXILIARY POCKET AND VIEWING WINDOW"; Attorney Docket No. 64390.

**United States Copyrights**

REG. NO.	REG. DATE	TITLE
TX2069397	04/23/1987	GRAZING BAGS: SINGLE-SERVING DISPENSER CARTON
TX2069399	04/23/1987	CAMEO PACKAGE PROGRAM
TX2069400	04/23/1987	FEED FAST FOOD FRENZY!
TX2069398	04/23/1987	PROFIT BOOSTER POPCORN BAGS
TX3133743	05/15/1991	To Go! BAGS

TX3133744	05/15/1991	2-IN-1 FOIL SHEET
TX3133747	05/15/1991	HONEYCOMB PAPER SHEET
VA260814	05/15/1987	YOU'RE A VERY SPECIAL PERSON. JUST SAY NO!
VA260908	05/15/1987	I (LOVE) SCHOOL LUNCH

3. The above trademarks, patents and copyrights were originally owned by Bagcraft Corporation of America and were assigned on November 20, 1998 to Bagcraft Acquisition, L.L.C. Bagcraft Corporation of America was erroneously referred to as a Delaware corporation, which was a typographical error.

4. In 1999, Bagcraft Acquisition, L.L.C. changed its name to Bagcraft Packaging, L.L.C.

5. On April 26, 2000, Bagcraft Packaging, L.L.C. assigned the above trademarks and patents to Packaging Dynamics, L.L.C. Bagcraft Packaging, L.L.C. was erroneously referred to as "Bagcraft Packaging Acquisition, L.L.C." in the assignment documents, which were typographical errors.

I declare that the above is true and correct to the best of my knowledge under penalty of perjury.

9/25/03

Date

Donald E. Walsh

01-04-1999



U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

100932961

To the Honorable Commissioner of Patents and Trademarks

Transmit a copy of this document to:

1. Name of Party(ies) conveying an interest: **MPO 12-28-98**  
 Hapcraft Corporation of America  
 1918 West 43rd Street  
 Chicago, Illinois 60632

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

2. Name and address of receiving party(ies)  
 Name: Baucraft Acquisition, L.L.C.  
 Internal Address: \_\_\_\_\_  
 Street Address: 100 Tri-State  
 City: Lincolnshire State: Illinois Zip: 60069

Individual(s) citizenship \_\_\_\_\_  
 Association \_\_\_\_\_  
 Corporation \_\_\_\_\_  
 Other Delaware Limited Liability Corporation

3. Nature of Conveyance:  
 Assignment  Merger  
 Security Agreement  Change of Name  
 Other \_\_\_\_\_

Execution Date: November 20, 1998

4. Application number(s) or patent number(s):  
 If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s). See Attachment A  
 Patent No.(s): See Attachment A

Additional numbers attached?  Yes  No

Name and address of party to whom correspondence concerning document should be mailed:  
 Name: Arlene D. Hanks, Esq.  
 Internal Address: Moore & Van Allen, PLLC  
 Street Address: 2200 West Main Street, Suite 800  
 City: Durham State: NC ZIP: 27705

6. Total number of applications and patents involved: 20

7. Total fee (37 CFR 3.41): \$ 800.00  
 Enclosed  
 Authorized to be charged to deposit account (Any Deficiencies) **606E**

8. Deposit account number: 13-4365  
 (Attach duplicate copy of this form if paying by deposit account)

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.*

Arlene D. Hanks, Esq. [Signature] 12-22-98  
 Name of Person Signing Signature Date

Total number of pages including cover sheet, attachments and document \_\_\_\_\_

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

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Box Assignments, Washington, DC 20231.

12/31/1998 DMSUYEN 00000207 08648311  
 01 FR:581 800.00 OP

Kim O'Callahan  
 Typed or printed name of person signing certification  
[Signature] 12-22-98  
 Signature Date

FORM 1 (MAY 1997) INTPT\230852\_1

PATENT  
REEL: 9662 FRAME: 0883

PATENT  
REEL: 014532 FRAME: 0551

**ATTACHMENT A**  
**Recordation Form Cover Sheet - Patents**

**4. Application Number(s) or Patent Number(s):**

**A. Patent Application Numbers:**

<b>NAME OF PATENT</b>	<b>APP. NUMBER</b>	<b>FILING DATE</b>
Bag With Adjustable Venting System	08/648,311	05/13/96
Laminated Microwave Popping Bag	08/957,635	10/24/97
Openable "Zip Strip" Bag Construction	08/924,970	09/08/97
Reinforced Lightweight Packaging Material	08/692,580	08/05/96
System For Manufacturing Lightweight Packaging Material Having A Removable Label	08/694,657	08/05/96
Window Bag With Polyester Lining And Method Of Forming Same	09/009,699	01/20/98

**B. Patent Number:**

<b>NAME OF PATENT</b>	<b>PATENT NO.</b>	<b>ISSUE DATE</b>
Bag With Internal Protective Flap	5,401,102	03/28/95
Bag With Auxiliary Pocket And Viewing Window	4,991,980	02/12/91
Bag Construction With Auxiliary Flap	5,163,756	11/17/92
Bag-In-A-Bag Window Bag Assembly With High Resolution Content Indicia	5,326,575	07/05/94
Coupon Pocket Bag	4,993,845	02/19/91
Method Of Making A Bag With A Barrier Material	4,798,574	01/17/89
Method And Means For Enhancing Microwave Popping of Popcorn	5,306,512	04/26/94
Method Of Making Window Bag Assembly With High Resolution Graphic Content Replicating Indicia	5,365,720	11/22/94
Multi-Ply Automatic Style Bag With Internal Flap Or Flaps	5,407,279	04/18/95
Openable Bag Construction	5,335,996	08/09/94
Process For Manufacturing Flap-Style Square Bottom Bags	5,549,538	08/27/96
Venting Structure For A Multiple Ply Bag	5,399,022	03/21/95
Waxed Bag With Wax-Free Area	4,863,287	09/05/89
Window Style Bag With Integral Coupon	5,009,518	04/23/91

**PATENT**  
**REEL: 9662 FRAME: 0884**

**PATENT**  
**REEL: 014532 FRAME: 0552**

**ASSIGNMENT OF PATENTS**

This ASSIGNMENT OF PATENTS, dated as of November <sup>20</sup> 1998 ("Assignment"), by BAGCRAFT CORPORATION OF AMERICA, a ~~Delaware~~ <sup>Illinois</sup> corporation ("Assignor"), in favor of BAGCRAFT ACQUISITION, L.L.C, a Delaware limited liability corporation ("Assignee").

**WITNESSETH**

**WHEREAS**, Assignor is the owner of the patents and patent applications listed on Schedule A hereto (collectively, the "Patents"); and

**WHEREAS**, Assignor and Assignee are parties to a certain Assets Purchase Agreement, dated August 26, 1998, as amended on September 30, 1998, October 26, 1998, and November 16, 1998 (the "Assets Purchase Agreement"), pursuant to which Assignor has agreed to sell to Assignee and Assignee has agreed to purchase from Assignor, the Patents, among other assets.

**NOW, THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby assign, transfer, set over, and deliver to Assignee all of Assignor's right, title, and interest in and to the Patents together with (i) all Patents granted on any applications included in the Patents, all continuations, continuations-in-part, divisionals, reissues and re-examinations of said Patents, (ii) all causes of actions, claims and demands or other rights for, or arising from any infringement, including past infringement, of the Patents, all upon the terms and subject to the conditions set forth in the Asset Purchase Agreement, and (iii) all rights corresponding thereto throughout the world.

Assignor further agrees, without further consideration, to cause to be performed such lawful acts and to be executed such further assignments and other lawful documents as Assignee may reasonably request to effectuate fully this Assignment and to permit Assignee to be duly recorded as the registered owner and proprietor of the rights hereby conveyed.

281127.01-New York\$1A

**PATENT  
REEL: 9662 FRAME: 0885**

**PATENT  
REEL: 014532 FRAME: 0553**

**IN WITNESS WHEREOF**, the undersigned has caused this Assignment to be executed by the signature of its duly authorized officer as of the date above first written.

**ASSIGNOR:**

**BAGCRAFT CORPORATION OF AMERICA**

By: Michael F. Ardunio  
Name: MICHAEL F. ARDUNIO  
Title: VICE PRESIDENT, CFO

Acknowledged and  
Accepted:

**ASSIGNEE:**

**BAGCRAFT ACQUISITION, L.L.C.**

By: \_\_\_\_\_  
Name:  
Title:

281127.01-New YorkS1A

**PATENT**  
**REEL: 9662 FRAME: 0886**

**PATENT**  
**REEL: 014532 FRAME: 0554**



**IN WITNESS WHEREOF**, the undersigned has caused this Assignment to be executed by the signature of its duly authorized officer as of the date above first written.

**ASSIGNOR.**

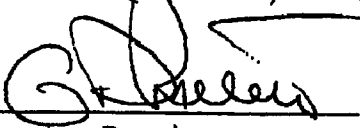
**BAGCRAFT CORPORATION OF AMERICA**

By: \_\_\_\_\_  
Name:  
Title:

Acknowledged and  
Accepted:

**ASSIGNEE:**

**BAGCRAFT ACQUISITION, L.L.C.**

By:   
Name: G. Douglas Patterson  
Title: Secretary & V.P.

281127.01-New YorkS1A

**PATENT**  
**REEL: 9662 FRAME: 0887**

**PATENT**  
**REEL: 014532 FRAME: 0555**

STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF COOK )

I, a notary public, in and for the county and state aforesaid, do hereby certify that G. Douglas Patterson personally known to me to be the Secretary & V.P. of Bayercraft Acquisition, L.L.C., a Delaware corporation, appeared before me this day in person and acknowledged that (s)he signed the above and foregoing instrument as his/her free and voluntary act and as the free and voluntary act of said corporation pursuant to authority granted to him/her by the board of directors of said corporation for the uses and purposes therein set forth.

STATE OF Illinois )  
 ) SS.  
COUNTY OF Cook )

I, a notary public, in and for the county and state aforesaid, do hereby certify that Michael F. Arduino personally known to me to be the V.P. - CFO of Bayercraft Corporation of America, a Delaware corporation, appeared before me this day in person and acknowledged that (s)he signed the above and foregoing instrument as his/her free and voluntary act and as the free and voluntary act of said corporation pursuant to authority granted to him/her by the board of directors of said corporation for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal this 26<sup>th</sup> day of November, 1998.

  
Notary Public



My commission expires: 8/28/2000

**SCHEDULE A TO ASSIGNMENT OF PATENTS**

**Bagcraft Corporation of America United States Patents**

<b>Name of Patent</b>	<b>Patent Number</b>	<b>Issue Date (Filing Date)</b>
BAG WITH INTERNAL PROTECTIVE FLAP	5,401,102	03/28/95 (9/30/91)
BAG WITH AUXILIARY POCKET AND VIEWING WINDOW	4,991,980	02/12/91 (8/8/89)
BAG CONSTRUCTION WITH AUXILIARY FLAP	5,163,756	11/17/92 (1/21/92)
BAG-IN-A-BAG WINDOW BAG ASSEMBLY WITH HIGH RESOLUTION CONTENT INDICIA	5,326,575	07/05/94 (5/26/92)
COUPON POCKET BAG	4,993,845	02/19/91 (01/12/90)
METHOD OF MAKING A BAG WITH A BARRIER MATERIAL	4,798,574	01/17/89 (12/9/87)

**PATENT  
REEL: 9662 FRAME: 0890**

**PATENT  
REEL: 014532 FRAME: 0557**

**Bagcraft Corporation of America United States Patents**

Name of Patent	Patent Number	Issue Date (Filing Date)
METHOD AND MEANS FOR ENHANCING MICROWAVE POPPING OF POPCORN	5,306,512	04/26/94 (7/24/88)
METHOD OF MAKING WINDOW BAG ASSEMBLY WITH HIGH RESOLUTION GRAPHIC CONTENT REPLICATING INDICIA	5,365,720	11/22/94 (5/26/92)
MULTIPLY AUTOMATIC STYLE BAG WITH INTERNAL FLAP OR FLAPS	5,407,279	04/18/95 (12/28/93)
OPENABLE BAG CONSTRUCTION	5,335,996	08/09/94 (07/08/93)
PROCESS FOR MANUFACTURING FLAP-STYLE SQUARE BOTTOM BAGS	5,549,538	08/27/96 (12/28/93)
VENTING STRUCTURE FOR A MULTIPLE PLY BAG	5,399,022	03/21/95 (02/25/93)
WAXED BAG WITH WAX-FREE AREA	4,863,287	09/05/89 (8/30/88)

**PATENT  
REEL: 9662 FRAME: 0891**

**PATENT  
REEL: 014532 FRAME: 0558**

**Bagcraft Corporation of America United States Patents**

<b>Name of Patent</b>	<b>Patent Number</b>	<b>Issue Date (Filing Date)</b>
WINDOW STYLE BAG WITH INTEGRAL COUPON	5,009,518	04/23/91 (08/08/89)

**PATENT**  
**REEL: 9662 FRAME: 0892**

**PATENT**  
**REEL: 014532 FRAME: 0559**



**Bagcraft Corporation of America United States Patent Applications**

Name of Patent	Application Number	Filing Date
BAG WITH ADJUSTABLE VENTING SYSTEM	08/648,311	05/13/96
LAMINATED MICROWAVE POPPING BAG	08/957,635	10/24/97
OPENABLE "ZIP STRIP" BAG CONSTRUCTION	08/924,970	09/08/97
REINFORCED LIGHTWEIGHT PACKAGING MATERIAL	08/692,580	08/05/96
SYSTEM FOR MANUFACTURING LIGHTWEIGHT PACKAGING MATERIAL HAVING A REMOVABLE LABEL	08/694,657	08/05/96
WINDOW BAG WITH POLYESTER LINING AND METHOD OF FORMING SAME	09/009,699	01/20/98

**PATENT  
REEL: 9662 FRAME: 0893**

**PATENT  
REEL: 014532 FRAME: 0560**

28112731-NEW 1,4531A

**Bagcraft Corporation of America Foreign Patents**

<b>Name of Patent</b>	<b>Country</b>	<b>Patent Number</b>	<b>Issue Date (Filing Date)</b>
BAG WITH AUXILIARY POCKET AND VIEWING WINDOW (U.S. Pat. No. 4,991,980)	Canada	2,029,672	01/20/98 (11/09/90)
METHOD OF MAKING A PAD OF STACKED BAGS	Canada	1,083,872	08/19/80 (07/04/78)
TUBULAR BAG AND METHOD OF MAKING SAME (Expired U.S. Pat. No. 4,461,031)	Canada	1,195,296	10/15/85 (02/01/83)
WAXED BAG WITH WAX-FREE AREA (U.S. Pat. No. 4,863,287)	Canada	1,318,888	06/08/93 (08/17/89)
WINDOW-STYLE BAG WITH INTEGRAL COUPON (U.S. Pat. No. 5,009,518)	Canada	2,013,043	09/10/96 (03/26/90)

**PATENT**  
**REEL: 9662 FRAME: 0894**

**PATENT**  
**REEL: 014532 FRAME: 0561**

**Bagcraft Corporation of America Foreign Patent Applications**

Name of Patent	Country	Application Number	Filing Date
BAG WITH INTERNAL PROTECTIVE FLAP (U.S. Pat. No. 5,401,102)	Canada	2,064,181	03/26/92
METHOD OF MAKING WINDOW BAG ASSEMBLY WITH CONTENT INDICIA (U.S. Pat. No. 5,365,720)	Canada	2,049,550	08/20/91
WINDOW BAG ASSEMBLY WITH CONTENT INDICIA (U.S. Pat. No. 5,236,575)	Canada	2,049,549	08/20/91

RECORDED: 12/28/1998

PATENT  
REEL: 9662 FRAME: 0895

PATENT  
REEL: 014532 FRAME: 0562



# FITCH, EVEN, TABIN & FLANNERY

ATTORNEYS AND COUNSELORS AT LAW

*Established in 1859*

Suite 1600 - 120 South LaSalle Street  
Chicago, Illinois 60603-3406

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FACSIMILE (312) 577-7007  
WRITER'S E-MAIL:  
PETTI@FITCHEVEN.COM

CALIFORNIA OFFICE  
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TELEPHONE: (858) 552-1311

COLORADO OFFICE  
SUITE 213  
1942 BROADWAY  
BOULDER, CO 80302  
TELEPHONE: (303) 402-6966

WASHINGTON, D.C. OFFICE  
1801 K STREET, N.W.  
SUITE 401L  
WASHINGTON, D.C. 20006-1201  
TELEPHONE: (202) 789-4900

September 25, 2003

U.S. Patent and Trademark Office  
Assignment Division BOX ASSIGNMENTS  
CG-4, 1213 Jefferson Davis Highway  
Suite 320  
Washington, DC 20231

**Re: *Bagcraft Corporation of America to Bagcraft Packaging Acquisition, L.L.C.***  
***Our File No.:6827-64384; 64385; 64387; 64388; 64389; 64390; 64391 and***  
***64392***

Sir:

Please correct the Conveying Party on the Notice of Recordation of Assignment  
Document Reel/Frame 009662/0883 from:

Bagcraft Corporation of America, a Delaware Corporation

to

Bagcraft Corporation of America, an **Illinois** Corporation

Please record the enclosed certificate of name change of Bagcraft Acquisition, L.L.C. to  
Bagcraft Packaging L.L.C.

Please also correct the Conveying Party on the Notice of Recordation of Assignment  
Document Reel/Frame 010804/0692 from:

Bagcraft Packaging Acquisition, L.L.C.

to

Bagcraft Packaging, L.L.C.

The above corrections are necessary due to a typographical error in the assignment at  
Document Reel/Frame 009662/0883 erroneously indicating that the conveying party, Bagcraft