

06-23-2006

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Form-PTO-1595 TRA
1-31-92



ORDINATION

Atty. Docket: 03479.006002.

To the Director, U.S. Patent ar

103263029

hed original documents or copy thereof.

1. Name of conveying party(ies):

- 1) KEVIN SHERMAN
- 2) MARC COZZA
- 3) BRYAN WARE

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

3. Nature of conveyance:

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

Execution Date: 1) May 10, 2006; 2) June 8, 2006; and
3) May 26, 2006

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

Name: Mars, Incorporated

Foreign Address: _____

Domestic Address: 6885 Elm Street

City: McLean State VA ZIP 22101

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

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 Number: 29/256,290

Filing Date: March 17, 2006

B. Title of Invention: CONTAINER

Additional numbers attached? Yes No

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

Name: Fitzpatrick, Cella, Harper & Scinto

30 Rockefeller Plaza

New York, New York 10112-3800

Telephone No.: (212) 218-2100

Facsimile No.: (212) 218-2200

6. Number of applications and patents involved:

One

7. Total fee (37 CFR 3.41): . . . \$ 40.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number (for deficiency or excess)

06-1205

(Attach duplicate copy of this page 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 the attached is the original document or is a true copy of the original document.

Raymond R. Mandra (Reg. No. 34,382)
Name of Person Signing

Raymond R. Mandra
Signature

June 22, 2006
Date

Total number of pages including cover sheet, attachments, and documents: 9

03388.006002

ASSIGNMENT

FOR VALUE RECEIVED, WE, Kevin Sherman, Marc Cozza and Bryan Ware, all citizens of the United States, residing, respectively, at c/o Masterfoods USA, 3250 E. 44th Street, Vernon, CA 90058; c/o Sandstrom Design, 808 SW Third Avenue, Suite 610, Portland, Oregon 97204; and c/o Bryan Ware Consulting, 4558 Lakewood Street, Pleasanton, CA 94588, hereby sell, assign, transfer and convey unto MARS INCORPORATED a corporation of Delaware having a place of business a 6885 Elm Street, McLean, VA 22101 its successors, assigns and legal representatives (hereinafter called the "Assignee"), the entire right, title and interest, for all countries, in and to certain inventions relating to

CONTAINER

and described in an application for Letters Patent of the United States, design Application Serial No. 29/256,290 filed by us on March 17, 2006 and in and to said application, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted, thereon, and all reissues and extensions thereof, and all applications for Letters Patent or other grants of protection of proprietary rights including, but not limited to, inventor's certificate, utility model, utility certificate, patent of importation, registration of patent and industrial design registration which may be filed, and which may be granted, upon said inventions in any countries or regions foreign to the United States, and all reissues, renewals and extensions thereof; and we hereby authorize and request the Commissioner for Patents and Trademarks of the United States, and all officials of countries or regions foreign to the United States having authority so to do, to issue all such Letters Patent or other grants of protection upon said inventions to the Assignee or to such nominees as it may designate.

AND we authorize and empower the said Assignee or nominees to invoke and claim for any application for such Letters Patent or other grants of protection for said inventions filed by it or them, the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by a convention which may henceforth be substituted for it, and to invoke and claim such right of priority without further written or oral authorization from us.

AND we hereby consent that a copy of this assignment shall be deemed a full and formal equivalent of any assignment, consent to file or like document which may be required in any country or region for any purpose and more particularly in proof of the right of the said Assignee or nominees to claim the aforesaid benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it.

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

AND we hereby covenant and agree that we will communicate to said Assignee or nominees all facts known to us pertaining to said inventions, and testify in all legal proceedings, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and declarations and in general perform all lawful acts necessary or proper to aid said Assignee or nominees in obtaining, maintaining and enforcing all lawful patent or other grants of protection of said inventions in any and all countries and regions.

IN TESTIMONY WHEREOF, I hereunto set hand and seal this 10 day of May, 2006


 _____ L.S.
 KEVIN SHERMAN

STATE OF)
) ss.:
 COUNTY OF)

On this day of , 2006, before me personally appeared Kevin Sherman

to me known and known to me to be the individual described in and who executed the foregoing instrument, and who thereupon acknowledged to me that he executed the same for the purposes therein set forth.

(Seal)

" See attached certificate "

 Notary Public
 (Notary Stamp)

IN TESTIMONY WHEREOF, I hereunto set hand and seal this _____ day of _____, 2006

MARC COZZA L.S.

STATE OF _____)
COUNTY OF _____) ss.:
_____)

On this _____ day of _____, 2006, before me personally appeared Marc Cozza
to me known and known to me to be the individual described in and who executed the foregoing instrument, and who thereupon
acknowledged to me that he executed the same for the purposes therein set forth.

(Seal) _____
Notary Public
(Notary Stamp)

IN TESTIMONY WHEREOF, I hereunto set hand and seal this _____ day of _____, 2006

BRYAN WARE L.S.

STATE OF _____)
COUNTY OF _____) ss.:
_____)

On this _____ day of _____, 2006, before me personally appeared Bryan Ware
to me known and known to me to be the individual described in and who executed the foregoing instrument, and who thereupon
acknowledged to me that he executed the same for the purposes therein set forth.

(Seal) _____
Notary Public
(Notary Stamp)

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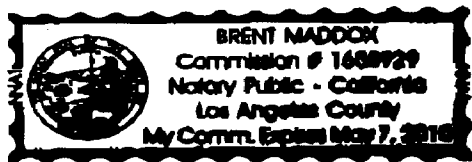
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
County of Los Angeles } SS.

On May 10, 2006, before me, Brent Maddox, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared Kevin Sherman
Name(s) of Signer(s)

- personally known to me
- proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Brent Maddox
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Assignment

Document Date: None Number of Pages: 2

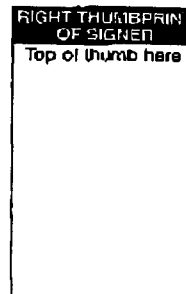
Signer(s) Other Than Named Above: Marc Cozza + Bryan Wave

Capacity(ies) Claimed by Signer

Signer's Name: Kevin Sherman

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney In Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer Is Representing: self



03388.006002

ASSIGNMENT

FOR VALUE RECEIVED, WE, Kevin Sherman, Marc Cozza and Bryan Ware,

all citizens of the United States,

residing, respectively, at c/o Masterfoods USA, 3250 E. 44th Street, Vernon, CA 90058; c/o Sandstrom Design, 808 SW Third Avenue, Suite 610, Portland, Oregon 97204; and c/o Bryan Ware Consulting, 4558 Lakewood Street, Pleasanton, CA 94588,

hereby sell, assign, transfer and convey unto MARS INCORPORATED

a corporation of Delaware

having a place of business a 6885 Elm Street, McLean, VA 22101

its successors, assigns and legal representatives (hereinafter called the "Assignee"), the entire right, title and interest, for all countries, in and to certain inventions relating to

CONTAINER

and described in an application for Letters Patent of the United States, design Application Serial No. 29/256,290 filed by us on March 17, 2006 and in and to said application, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted, thereon, and all reissues and extensions thereof, and all applications for Letters Patent or other grants of protection of proprietary rights including, but not limited to, inventor's certificate, utility model, utility certificate, patent of importation, registration of patent and industrial design registration which may be filed, and which may be granted, upon said inventions in any countries or regions foreign to the United States, and all reissues, renewals and extensions thereof; and we hereby authorize and request the Commissioner for Patents and Trademarks of the United States, and all officials of countries or regions foreign to the United States having authority so to do, to issue all such Letters Patent or other grants of protection upon said inventions to the Assignee or to such nominees as it may designate.

AND we authorize and empower the said Assignee or nominees to invoke and claim for any application for such Letters Patent or other grants of protection for said inventions filed by it or them, the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by a convention which may henceforth be substituted for it, and to invoke and claim such right of priority without further written or oral authorization from us.

AND we hereby consent that a copy of this assignment shall be deemed a full and formal equivalent of any assignment, consent to file or like document which may be required in any country or region for any purpose and more particularly in proof of the right of the said Assignee or nominees to claim the aforesaid benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it.

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

AND we hereby covenant and agree that we will communicate to said Assignee or nominees all facts known to us pertaining to said inventions, and testify in all legal proceedings, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and declarations and in general perform all lawful acts necessary or proper to aid said Assignee or nominees in obtaining, maintaining and enforcing all lawful patent or other grants of protection of said inventions in any and all countries and regions.

IN TESTIMONY WHEREOF, I hereunto set hand and seal this _____ day of _____, 2006

KEVIN SHERMAN I.S.

STATE OF _____)
COUNTY OF _____) ss.:
_____)

On this _____ day of _____, 2006, before me personally appeared Kevin Sherman

to me known and known to me to be the individual described in and who executed the foregoing instrument, and who thereupon acknowledged to me that he executed the same for the purposes therein set forth.

(Seal) _____
Notary Public
(Notary Stamp)

IN TESTIMONY WHEREOF, I hereunto set hand and seal this 8 day of June, 2006

Marc Cozza

MARC COZZA L.S.

STATE OF OREGON)
COUNTY OF MULTNOMAH) ss.:

On this 8 day of JUNE, 2006, before me personally appeared Marc Cozza

to me known and known to me to be the individual described in and who executed the foregoing instrument, and who thereupon acknowledged to me that he executed the same for the purposes therein set forth.

David R. Kauble

Notary Public
(Notary Stamp)

(Seal)



IN TESTIMONY WHEREOF, I hereunto set hand and seal this _____ day of _____, 2006

BRYAN WARE L.S.

STATE OF _____)
COUNTY OF _____) ss.:

On this _____ day of _____, 2006, before me personally appeared Bryan Ware

to me known and known to me to be the individual described in and who executed the foregoing instrument, and who thereupon acknowledged to me that he executed the same for the purposes therein set forth.

(Seal)

Notary Public
(Notary Stamp)

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IN TESTIMONY WHEREOF, I hereunto set hand and seal this _____ day of _____, 2006

MARC COZZA L.S.

STATE OF _____)
COUNTY OF _____) ss.:
_____)

On this _____ day of _____, 2006, before me personally appeared Marc Cozza

to me known and known to me to be the individual described in and who executed the foregoing instrument, and who thereupon acknowledged to me that he executed the same for the purposes therein set forth.

(Seal) _____
Notary Public
(Notary Stamp)

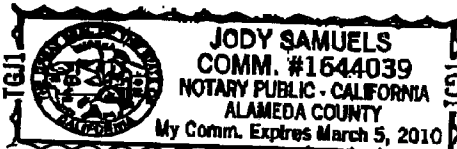
IN TESTIMONY WHEREOF, I hereunto set hand and seal this _____ day of _____, 2006

BRYAN WARE L.S.

STATE OF California)
COUNTY OF _____) ss.:
_____)

On this 26 day of May, 2006, before me personally appeared Bryan Ware

to me known and known to me to be the individual described in and who executed the foregoing instrument, and who thereupon acknowledged to me that he executed the same for the purposes therein set forth.

(Seal) 

Jody Samuels
Notary Public
(Notary Stamp)

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