

2/6/7

02-27-2007

HEET

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office



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the attached original documents or copy thereof.

To the Director of the United States

1. Name of conveying party(ies):
Elizabeth Varriano-Marston
Eugene P. Thomas
Nicholas DaCosta

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

Name: **Foxy Foods, L.L.C.**

Internal Address: _____

Street Address: **P.O. Box 3037**

City: **Gonzales** State: **CA** ZIP: **93926**

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other _____

Execution Date: **01/04/07, 01/03/07, 02/01/07**

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

4. Application number(s) or patent numbers(s):

If this document is being filed together with a new application, the execution date of the application is: **1/4/7, 1/3/7, 2/1/7**

A. Patent Application No.(s)

Filing Date

B. Patent No.(s)

02/23/2007 DRYRNE 00000295 11/03/06

01 FC:6021

40.00 BP

Additional numbers attached? ☐ Yes ☒ No

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

Name: **R. Scott Weide**

Internal Address: **Weide & Miller, Ltd.**

Street Address: **7251 West Lake Mead Blvd., Suite 530**

City: **Las Vegas** State: **NV** ZIP: **89128**

6. Total number of applications and patents involved: **1**

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

☐ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☒ Authorized to be charged to deposit account

8. Deposit account number:

502200

(Attach duplicate copy of this page if paying by deposit account)

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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.

R. Scott Weide (Reg. No. 37,755)

Name of Person Signing

Signature

February 6, 2007
Date

Total number of pages including cover sheet, attachments, and document: **4**

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: 018953 FRAME: 0645

ASSIGNMENT

WHEREAS, We, Elizabeth Varriano-Marston, a United States citizen, residing at 18 Wilson Road, Windham, NH 03087, Eugene P. Thomas, a United States citizen, residing at 2592 Warwick Lane, Santa Cruz, CA 95065, and Nicholas DaCosta, a United States citizen, residing at 122 Deer Meadow Terrace, Danville, CA 94506 have invented certain new and useful improvements in a ATMOSPHERE CONTROLLED PACKAGING FOR FRESH FOODSTUFFS for which we have executed an application for Letters Patent in the United States on even date herewith;

AND WHEREAS, FoxyFoods, L.L.C. (hereinafter "ASSIGNEE"), a California Limited Liability Company, with a mailing address of P.O. Box 3037, Gonzales, CA 93926, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) each to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we 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, the entire right, title, and interest throughout the world in, to and under the said improvements, and the 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 rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements 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 of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements 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 will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue 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 patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 4 day of JAN, 2007.

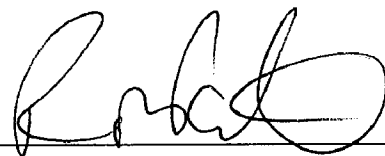

Elizabeth Varriano-Marston

STATE OF N-H
COUNTY OF Rockingham] ss.

On 1/4/2007, before me, Rashmikant Patel personally appeared Elizabeth Varriano-Marston personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]


Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 3 day of JAN, 2007.

Eugene P. Thomas
Eugene P. Thomas

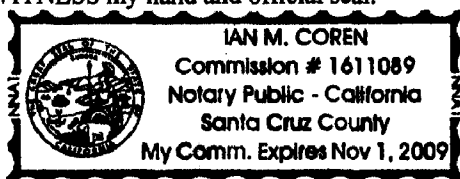
STATE OF California
COUNTY OF Santa Cruz

7
5 ss.
8

On 1/3/07, before me, IAN M COREN personally appeared Eugene P. Thomas personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Ian M. Coren
Signature

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

Nicholas DaCosta

STATE OF
COUNTY OF

7
5 ss.
8

On _____, before me, _____ personally appeared Nicholas DaCosta personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Signature

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

Eugene P. Thomas

STATE OF

7

5 ss.

COUNTY OF

8

On _____, before me, _____ personally appeared Eugene P. Thomas personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 1st day of February, 2006. 7

Nicholas DaCosta

STATE OF

California

7

5 ss.

COUNTY OF

Monterey

8

On 2-1-07, before me, Denise K Beasley personally appeared Nicholas DaCosta personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Denise K Beasley
Signature

