

FORM PTO-1595

U.S. DEPARTMENT OF COMMERCE

1-31-92

**CORRECTED** RECORDATION FORM COVER SHEET

Patent and Trademark Office

Attorney Docket No: CA 703135-2001

**PATENTS ONLY**

1. Name of conveying party(ies):

ConAgra Dairy Food Research Center

Additional name(s) of conveying party(ies) attached?

YES  NO

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

ConAgra Foods RDM, Inc.  
One ConAgra Drive  
Omaha, NE 68102

Additional name(s) and Address(es) attached:?

YES  NO

3. Nature of conveyance:

Assignment  Merger  Security Agreement  
 Change of Name  Other \_\_\_\_\_

Execution Date: May 28, 2007

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

Serial N<sup>o</sup> 09/901,340

Filed: 7/9/2001

Express Mail Label N<sup>o</sup>:

If this document is being filed together with a new application, the execution date of the application is: .

**A. Patent Application No.(s)**

09/901,340

**B. Patent No.(s)**

6,607,106

Additional numbers attached:  YES  NO

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

**Customer No. 23531**

SUITER • SWANTZ PC LLO

Sean Patrick Suiter  
14301 FNB Parkway, Suite 220  
Omaha, NE 68154-5299

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

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

The Commissioner is hereby authorized to charge the recordation fee to deposit account 19-4882.  
(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 correct and any attached copy is a true copy of the original document.



Chad W. Swantz Reg. N<sup>o</sup> 46329

DATE: August 29, 2007

Total number of pages comprising cover sheet: **ONE**

CH \$40.00 194882 6607106

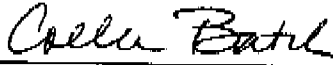
**CONAGRA FOODS, INC.****Secretary's Certificate**

I, Colleen Batcheler, the duly appointed Corporate Secretary of ConAgra Foods, Inc. (the "Company"), am familiar with the facts set forth below and, being authorized to do so, certify the following:

1. ConAgra Dairy Food Research Center was an operating group under ConAgra Dairy Foods Company, a Delaware corporation ("ConAgra Dairy").
2. Attached as Annex A is a copy of the Certificate of Ownership and Merger of ConAgra Dairy, and other Delaware corporations, with and into ConAgra Foods Packaged Foods Company, Inc., a Delaware corporation and wholly owned subsidiary of the Company ("Packaged"), effective September 26, 2004, as filed with the Secretary of State of the State of Delaware.
3. Attached as Annex B is a copy of the Certificate of Ownership and Merger of Packaged with and into ConAgra Foods Packaged Foods, LLC, a Delaware limited liability company and wholly owned subsidiary of the Company ("Packaged LLC"), effective May 28, 2007, as filed with the Secretary of State of the State of Delaware.
4. Attached as Annex C is a copy of the assignment whereby Packaged LLC assigned certain intellectual property to ConAgra Foods RDM, Inc., a Delaware corporation and wholly owned subsidiary of the Company.

IN WITNESS WHEREOF, I have subscribed my name as Corporate Secretary of the Company this 23 day of August 2007.

(SEAL)


  
\_\_\_\_\_  
Colleen Batcheler  
Corporate Secretary

STATE OF NEBRASKA

§

COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of August 2007, by Colleen Batcheler, Corporate Secretary of ConAgra Foods, Inc., a Delaware corporation, on behalf of the corporation.

  
\_\_\_\_\_  
Notary Public

Annex A

# Delaware

PAGE 1

*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"CONAGRA DAIRY FOODS COMPANY", A DELAWARE CORPORATION,

"CONAGRA GPC, INC.", A DELAWARE CORPORATION,

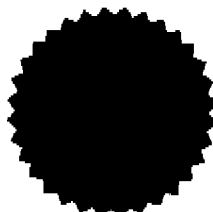
"IHF/GM HOLDING CORPORATION", A DELAWARE CORPORATION,

"LAMB-WESTON, INC.", A DELAWARE CORPORATION,

WITH AND INTO "CONAGRA FOODS PACKAGED FOODS COMPANY, INC." UNDER THE NAME OF "CONAGRA FOODS PACKAGED FOODS COMPANY, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-FOURTH DAY OF SEPTEMBER, A.D. 2004, AT 2:01 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF OWNERSHIP IS THE TWENTY-SIXTH DAY OF SEPTEMBER, A.D. 2004, AT 11:59 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



3808548 8100M

040692704

*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 3377268

DATE: 09-28-04

PATENT  
REEL: 019767 FRAME: 0128

State of Delaware  
 Secretary of State  
 Division of Corporations  
 Delivered 01:55 PM 09/24/2004  
 FILED 02:01 PM 09/24/2004  
 SKV 040692704 - 3808548 FILE

**CERTIFICATE OF OWNERSHIP AND MERGER**

**MERGING**

**CONAGRA DAIRY FOODS COMPANY  
 CONAGRA GPC, INC.  
 IHF/GM HOLDING CORPORATION  
 LAMB-WESTON, INC.  
 (Each a Delaware Corporation)**

**INTO**

**CONAGRA FOODS PACKAGED FOODS COMPANY, INC.  
 (A Delaware Corporation)**

It is hereby certified that:

1. The name and state of incorporation of each of the constituent corporations of the merger is as follow:

<u>NAME</u>	<u>STATE OF INCORPORATION</u>
ConAgra Foods Packaged Foods Company, Inc. (hereinafter sometimes referred to as the "Corporation")	Delaware
ConAgra Dairy Foods Company	Delaware
ConAgra GPC, Inc.	Delaware
IHF/GM Holding Corporation	Delaware
Lamb-Weston, Inc.	Delaware
(hereinafter sometimes referred to together as the "Subsidiaries" or singularly as a "Subsidiary")	

2. The Corporation is the owner of all of the outstanding shares of each class of stock of each Subsidiary.
3. The Corporation hereby merges each Subsidiary into the Corporation.

SEP 23 2004 6:15 PM

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4. Set forth below is a copy of the resolution adopted on September 22, 2004, by the Board of Directors of the Corporation to merge the said Subsidiaries into the Corporation:

**"RESOLVED**, that each of ConAgra Dairy Foods Company; ConAgra GPC, Inc.; IHF/GM Holding Corporation; and Lamb-Weston, Inc. is a wholly owned subsidiary of ConAgra Foods Packaged Foods Company, Inc., and shall be merged with and into ConAgra Foods Packaged Foods Company, Inc. in accordance with the Delaware Corporation Law. The issued shares of each subsidiary shall not be converted in any manner, but each said share which is issued as of the effective date of the merger shall be surrendered and extinguished. Each merger shall be effective as of 11:59 p.m. on September 26, 2004. "

5. The merger shall be effective as of 11:59 p.m. on September 26, 2004.

DATED: September 23, 2004.

**CONAGRA FOODS PACKAGED  
FOODS COMPANY, INC.**

By: Debra L. Keith  
Debra L. Keith, Vice President, Tax

Annex B

May. 24. 2007 6:08PM csc

No. 0596 P. 8

# Delaware

PAGE 1

## The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"CONAGRA FOODS PACKAGED FOODS COMPANY, INC.", A DELAWARE CORPORATION,

WITH AND INTO "CONAGRA FOODS PACKAGED FOODS, LLC" UNDER THE NAME OF "CONAGRA FOODS PACKAGED FOODS, LLC", A LIMITED LIABILITY COMPANY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-SECOND DAY OF MAY, A.D. 2007, AT 5:49 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE TWENTY-EIGHTH DAY OF MAY, A.D. 2007, AT 12 O'CLOCK A.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.

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070603411



*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 5698686

DATE: 05-23-07

May. 24. 2007 6:08PM csc

No. 0596 P. 9

State of Delaware  
 Secretary of State  
 Division of Corporations  
 Delivered 06:33 PM 05/22/2007  
 FILED 05:49 PM 05/22/2007  
 SRV 070603411 - 4335387 FILE

STATE OF DELAWARE  
 CERTIFICATE OF MERGER OF  
 DOMESTIC CORPORATION INTO  
 DOMESTIC LIMITED LIABILITY COMPANY

Pursuant to Title 8, Section 264(c) of the Delaware General Corporation Law and Title 6, Section 18-209 of the Limited Liability Company Act, the undersigned limited liability company executed the following Certificate of Merger:

- FIRST:** The name of the surviving limited liability company is ConAgra Foods Packaged Foods, LLC and the name of the corporation being merged into this surviving limited liability company is ConAgra Foods Packaged Foods Company, Inc.
- SECOND:** The Agreement of Merger has been approved, adopted, certified, executed and acknowledged by the surviving limited liability company and the merging corporation.
- THIRD:** The name of the surviving limited liability company is ConAgra Foods Packaged Foods, LLC.
- FOURTH:** The merger is to become effective on May 28, 2007 at 12:00 a.m.
- FIFTH:** The Agreement of Merger is on file at One ConAgra Drive, Omaha, Nebraska 68102, the place of business of the surviving limited liability company.
- SIXTH:** A copy of the Agreement of Merger will be furnished by the surviving limited liability company on request, without cost, to any member of any constituent limited liability company or stockholder of any constituent corporation.

IN WITNESS WHEREOF, said limited liability company has caused this certificate to be signed by an authorized person on this 21<sup>st</sup> day of May, 2007.

By: Scott E Messel  
 Scott E. Messel, Vice President, Treasurer



Annex C

**ASSIGNMENT**

This Assignment ("Assignment") is entered into by and between **CONAGRA FOODS PACKAGED FOODS, LLC**, a Delaware corporation, having its principal offices at One ConAgra Drive, Omaha, Nebraska 68102 ("Assignor"), and **CONAGRA FOODS RDM, INC.**, a Delaware corporation, having its principal offices at One ConAgra Drive, Omaha, Nebraska 68102 ("Assignee").

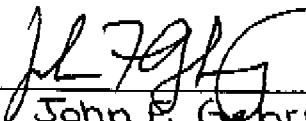
WHEREAS, Assignor is the owner of the patents, pending patent applications, as well as related applications listed on Exhibit "A" hereto ("Technology"):

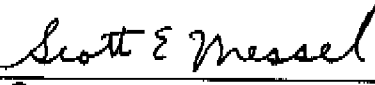
WHEREAS, Assignee is desirous of acquiring all right, title and interest in and to said Technology, including the right to sue for past damages associated with infringement of the Technology.

NOW THEREFORE, be it known that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby assigns to Assignee all right, title and interest in and to said Technology, which hereby expressly includes any related applications and patents issuing therefrom, issued patents, continuations, reissues, reexamined patents, divisions, and related foreign applications and patents. Assignor similarly expressly assigns the right to sue for past, present and future damages related to any parties' infringement of the Technology or any related applications or patents.

Signed this 28<sup>th</sup> day of May, 2007.

**CONAGRA FOODS PACKAGED FOODS, LLC      CONAGRA FOODS RDM, INC.**

By:   
Name: John P. Gehring  
Title: Vice President + Controller

By:   
Name: Scott E. Messel  
Title: Vice President, Treasurer