

4/6/04

04-12-2004



102718620

Form PTO-1594 (Rev. 10/02) OMB No. 0651-0027 (exp. 6/30/2005)

RE

U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

Tab settings

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): Poly-Seal Corporation

- Individual(s), Association, General Partnership, Limited Partnership, Corporation-State, Other

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

3. Nature of conveyance:

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

Execution Date: 02/27/2004

2. Name and address of receiving party(ies)

Name: Berry Plastics Corporation, Internal Address, Street Address: 101 Oakley Street, P.O. Box 959, City: Evansville State: IN Zip: 47006

- Individual(s) citizenship, Association, General Partnership, Limited Partnership, Corporation-State Delaware, Other

If assignee is not domiciled in the United States, a domestic representative designation is attached? Yes No (Designations must be a separate document from assignment) Additional name(s) & address(es) attached? Yes No

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

1406744; 1282514

Additional number(s) attached Yes No

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

Name: Julia Spoor Gard

Internal Address: Barnes & Thornburg

Street Address: 11 S. Meridian Street

City: Indianapolis State: IN Zip: 46204

6. Total number of applications and registrations involved: 2

7. Total fee (37 CFR 3.41): \$ 65.00

- Enclosed, Authorized to be charged to deposit account

8. Deposit account number:

100435

(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.

Julia Spoor Gard Name of Person Signing

Signature

April 5, 2004 Date

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

04/09/2004 LINDLER 00000022 100435 1406744

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

01 FC:0521 40.00 BA 02 FC:0522 25.00 BA

TRADEMARK REEL: 002946 FRAME: 0020

U.S. TRADEMARK ASSIGNMENT

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Poly-Seal Corporation, a Delaware corporation having a business address of 1810 Portal Street, Baltimore, Maryland 21224 (ASSIGNOR), hereby assigns, sells, conveys and transfers to Berry Plastics Corporation, a Delaware corporation with an address of 101 Oakley Street, P.O. Box 959 Evansville, Indiana 47006 (ASSIGNEE), all rights, title, and interest to the U.S. federal trademark registrations which appear on attached Exhibit A, together with the common law rights to the marks, and the goodwill of the business with which the marks are used, all claims for damages by reason of infringement, and the right to sue for and collect the same for its own use and for the use of its successors and assigns.

ASSIGNOR:

\_\_\_\_\_

Signed: 

Printed Name: Jeff Thompson

Title: General Counsel

Date: 2/27/04

STATE OF Indiana )  
 ) SS:  
COUNTY OF Marion )

On the 27<sup>th</sup> day of February, 2004, before me, a Notary Public in and for said County and State, personally appeared Jeff Thompson and acknowledged that he is the General Counsel of Poly-Seal Corporation; that he is authorized by said Corporation to execute the foregoing Assignment on behalf of said Corporation; and that he did execute the foregoing Assignment on behalf of said Corporation, pursuant to such authority.

Heather L. Behlmer  
Notary Public

Heather L. Behlmer  
Printed Name

My Commission Expires:  
November 16, 2009

My County of Residence:  
Hamilton

# EXHIBIT A

<u>Mark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>
POLY-SEAL	1406744	08/26/1986
PS Design	1282514	06/19/1984