

07-08-1998

U.S. DEPARTMENT OF COMMERCE

EET

Docket No. 338922400000

MRD 6-18-98



100755881

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

1. Name of conveying party(ies):
CONGRESS FINANCIAL CORPORATION

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

A California corporation

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

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☒ Other: Release of Security Interest and Reassignment of Rights

Execution Date: April 20, 1998

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

Name: BIOBOTTOMS, INC.
 Internal Address:
 Street Address: 617-C 2nd Street
 City: Petaluma, State: CA ZIP: 94952-5138

- ☐ Individual(s) citizenship: _____
☐ Association: _____
☐ General Partnership: _____
☐ Limited Partnership: _____
☒ Corporation-State: California
☐ Other: _____

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

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

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

A. Trademark Application No.(s)

B. Registration No.(s)

1,804,562

1,674,319

1,736,728

1,245,890

Additional numbers attached? ☐ Yes ☒ No

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

Carla B. Oakley
 Morrison & Foerster LLP
 425 Market Street
 San Francisco, CA 94105

6. Total number of applications and trademark registrations involved: 4

7. Total fee (37 C.F.R. § 3.41): \$115.00

- ☒ Enclosed
☐ Authorized to be charged to deposit account, referencing Attorney Docket 338922400000

8. Deposit account number: 03-1952The Commissioner is hereby authorized to charge any fees under 37 C.F.R. § 1.21 which may be required by this paper, or to credit any overpayment to Deposit Account No. 03-1952.**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.

Name: Carla B. Oakley

Signature

Date

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

07/07/1998 DNGUYEN 00000115 1804562

01 FC:481
02 FC:48240.00 OP
75.00 OP

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks

Box Assignments

Washington, D.C. 20231

sf-520839

TRADEMARK
REEL: 1748 FRAME: 0257

RELEASE OF TRADEMARK ASSIGNMENT

THIS RELEASE is made as of this 20th day of April, 1998, by Congress Financial Corporation ("Congress"), in favor of Biobottoms, Inc. ("**Biobottoms**").

WHEREAS, Biobottoms entered into a Security Agreement (Trademarks), dated February 9, 1996 with Congress (the "**Agreement**") to secure payment of obligations of Biobottoms to Congress; and

WHEREAS, an executed copy of the Agreement was filed at the United States Patent and Trademark Office in Reel 1515, Frame 0209 on October 4, 1996 with respect to the trademarks listed on **Exhibit A** annexed hereto; and

WHEREAS, pursuant to the Agreement, Biobottoms granted to Congress a security interest in the foreign trademarks and trademark applications listed on **Exhibit A** annexed hereto; and

WHEREAS, Congress, at the request of Biobottoms, has agreed to release and reassign to Biobottoms its interest in the trademarks and trademark applications listed on Exhibit A and Exhibit B;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Congress hereby:

1. releases and reassigns to Biobottoms, without representation or warranty, express or implied and without recourse, any and all liens, security interests, right, title and interest of Congress pursuant to the Agreement in and to the trademarks which are described more fully on Exhibit A and Exhibit B and the goodwill of the business symbolized by each such trademark, including any and all proceeds relating thereto; and

2. authorizes and requests the Commissioner of Patents and Trademarks of the United States of America to note and record the existence of the release hereby given.

IN WITNESS WHEREOF, Congress has caused this Release to be signed by its duly authorized officer as of the day and year first above written.

CONGRESS FINANCIAL CORPORATION

By: *Keith Heller*
Name: *Keith Heller*
Title: *Assistant Vice President*

NY01/ALTEB/226888.2

sf-525448

TRADEMARK
REEL: 1748 FRAME: 0258

Exhibit A

UNITED STATES TRADEMARKS

<u>Registration No.</u>	<u>Trademark</u>	<u>Date</u>
1,804,562	Cottonbottoms	12/10/1992
1,674,319	Biobottoms	02/04/1992
1,736,728	Tenderbottoms	12/01/1992
1,245,890	Biobottoms (and Design)	07/19/1983