

09-08-1998



FORM PTO-1594
(Rev 5-93)

IT

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

100823775

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

8-2-98
PWW

<p>1. Name of conveying party(ies): RUI ONE CORP.</p> <p>Individual(s) citizenship:</p> <p>Association:</p> <p>General Partnership:</p> <p>Limited Partnership:</p> <p>Corporation - State: Washington</p> <p>Other:</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>3. Nature of Conveyance:</p> <p><input type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other Release and Reconveyance of Security Interests</p> <p>Execution Date: June 12, 1998</p>	<p>2. Name and address of receiving party(ies):</p> <p>Name: Fresh Choice, Inc. Address: 2901 Tasman Drive, Suite 109 City: Santa Clara State: CA Zip: 95054-1169</p> <p>Individual(s) citizenship:</p> <p>Association:</p> <p>General Partnership:</p> <p>Limited Partnership:</p> <p>Corporation - State: Delaware</p> <p>Other:</p> <p>If assignee is not domiciled in the United States, a domestic representative designation is attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>(Designations must be a separate document from assignment)</p> <p>Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
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ASSIGNMENT RECEIVED
98 SEP -2 AM 5:15

<p>4. Application number(s) or trademark number(s):</p> <p>N/A</p>	<p>B. Trademark Registration No.(s)</p> <p>1,745,327 1,562,755</p> <p>Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
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<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: Erin O'Brien Internal Address: GRAY CARY WARE & FREIDENRICH 400 Hamilton Avenue Palo Alto, California 94301</p>	<p>6 Total number of applications and registrations involved: 2</p> <p>7. Total fee (37 CFR 3.41) \$ 65.00 <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account</p> <p>8. Deposit account number: <u>07-1907</u></p> <p>(Attach duplicate copy of this page if paying by deposit account)</p>
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09/02/1998 DCORTES 00000061 071907 1745327
01 FC:481 46.00 CH
02 FC:482 25.00 CH

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.

Erin O'Brien _____ August 31, 1998
Name of Person Signing Signature Date

Total number of pages comprising cover sheet: [4]

Mail Documents to be recorded with required cover sheet information to:
U.S. Patent and Trademark Office, Office of Public Records
1213 Jefferson Davis Highway, 3rd Floor
Arlington, VA 22202

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TRADEMARK
REEL: 1785 FRAME: 0145

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

1. Name of conveying party(ies):
RUI ONE CORP.

Individual(s) citizenship:

Association:

General Partnership:

Limited Partnership:

Corporation - State: **Washington**

Other:

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

3. Nature of Conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other **Release and Reconveyance of Security Interests**

Execution Date: **June 12, 1998**

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

Name: **Fresh Choice, Inc.**
 Address: **2901 Tasman Drive, Suite 109**
 City: **Santa Clara** State: **CA** Zip: **95054-1169**

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 trademark number(s):

N/A

Additional numbers attached? Yes No

B. Trademark Registration No.(s)

1,745,327
1,562,755

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

Name: **Erin O'Brien**
 Internal Address: **GRAY CARY WARE & FREIDENRICH**
400 Hamilton Avenue
Palo Alto, California 94301

6 Total number of applications and registrations involved: **2**

7. Total fee (37 CFR 3.41) \$ **65.00**
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Erin O'Brien
Name of Person Signing

Erin O'Brien
Signature

August 31, 1998
Date

Total number of pages comprising cover sheet: **(4)**

Mail Documents to be recorded with required cover sheet information to:
U.S. Patent and Trademark Office, Office of Public Records
1213 Jefferson Davis Highway, 3rd Floor
Arlington, VA 22202

RELEASE AND RECONVEYANCE OF SECURITY INTERESTS

THIS RELEASE AND RECONVEYANCE OF SECURITY INTERESTS is granted by RUI ONE CORP., a Washington corporation (hereinafter "Secured Party"), having a place of business at 1818 North Northlake Way, Seattle, Washington 98103, in favor of FRESH CHOICE, INC., a Delaware corporation (hereinafter "Grantor"), having a place of business at 2901 Tasman Drive, Suite 109, Santa Clara, California 95054-1169.

WHEREAS, the Grantor by a Security Agreement made May 1, 1997, granted to the Secured Party, as security for the full and prompt payment and performance of all obligations arising under an Agreement of Sale and Purchase dated April 2, 1997 between Secured Party and Grantor, a security interest in the trademarks and service marks listed on Schedule A attached and registrations and applications therefore identified in Schedule A (hereinafter collectively referred to as the "Marks"); and

WHEREAS, the Secured Party acted to perfect its security interest in the Marks by filing a Grant of Security Interest with the United States Patent and Trademark Office on July 23, 1997, which Grant of Security Interest was recorded on July 28, 1997 at Reel 1623, Frame 0348;

NOW, THEREFORE, in consideration of the full satisfaction of certain obligations of the Grantor, the Secured Party hereby releases the security interest granted in the Marks identified in Schedule A attached hereto, to the Secured Party by the Security Agreement entered May 1, 1997 and by the Grant of Security Interest recorded in the U. S. Patent and Trademark Office, and reconveys to the extent of its interest therein without recourse, representation or warranty of any kind to the Grantor, any and all Marks transferred by the Security Agreement and the Grant of Security Interest.

EXECUTED at Seattle, Washington this 12 day of June, 1998.

RUI ONE CORP., a Washington corporation

By: [Signature]
Name: Robert D. Nowlin
Its: Secretary

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that ROBERT D. NOWLIN is the person who appeared before me and said person acknowledged that he was authorized to execute the instrument and acknowledged it as the Secretary of RUI ONE CORP., to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED this 12 day of June, 1998.

[Signature]
(signature) Sylvia A. Anderson
(print name)

(SEAL OR STAMP)

Notary Public for the State of Washington
Residing at: Seattle
My commission expires: 4-1-99