

03-12-1999



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RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- New
- Resubmission (Non-Recordation)  
Document ID #
- Correction of PTO Error  
Reel #  Frame #
- Corrective Document  
Reel #  Frame #

Conveyance Type

- Assignment  License
- Security Agreement  Nunc Pro Tunc Assignment
- Merger
- Change of Name
- Other RELEASE AND REASSIGNMENT

Effective Date  
Month Day Year  
1 26 99

Conveying Party

Mark if additional names of conveying parties attached

Execution Date  
Month Day Year

Name BANK BOSTON, N.A.

1 26 99

Formerly THE FIRST NATIONAL BANK OF BOSTON

- Individual  General Partnership  Limited Partnership  Corporation  Association
- Other
- Citizenship/State of Incorporation/Organization

Receiving Party

Mark if additional names of receiving parties attached

Name CONSOLIDATED CIGAR CORPORATION

Formerly DBA/KAFTA MFH FINANCE CORPORATION / MFH MANUFACTURING CORP.

Composed of

Address (line 1) 5900 North Andrews Avenue

Address (line 2)

Address (line 3) Fort Lauderdale Florida U.S.A. 33309

- Individual  General Partnership  Limited Partnership  If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)
- Corporation  Association
- Other
- Citizenship/State of Incorporation/Organization Delaware

FOR OFFICE USE ONLY

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

TRADEMARK  
REEL: 1866 FRAME: 0471

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name GRIMES & BATTERSBY

Address (line 1) THREE LANDMARK SQUARE

Address (line 2) P.O. BOX 1311

Address (line 3) STAMFORD, CONNECTICUT 06904

Address (line 4)

**Correspondent Name and Address**

Area Code and Telephone Number (203) 324-2828

Name GRIMES & BATTERSBY

Address (line 1) THREE LANDMARK SQUARE

Address (line 2) P.O. BOX 1311

Address (line 3) STAMFORD, CONNECTICUT 06904

Address (line 4)

**Pages**

Enter the total number of pages of the attached conveyance document including any attachments.

# 10

**Trademark Application Number(s) or Registration Number(s)**

Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)

Registration Number(s)

168,631

**Number of Properties**

Enter the total number of properties involved.

# 1

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$

Method of Payment:

Enclosed  Deposit Account

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

# 072162

Authorization to charge additional fees:

Yes  No

**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. Charges to deposit account are authorized, as indicated herein.

MELISSA T. ROSSE

Melissa T. Rosse

3/5/99

Name of Person Signing

Signature

Date Signed

TERMINATION, RELEASE AND REASSIGNMENT OF  
SECURITY INTEREST IN TRADEMARKS

THIS TERMINATION, RELEASE AND REASSIGNMENT OF SECURITY INTEREST IN TRADEMARKS (the "Release") dated as of <sup>January</sup> December 26, 1999 is by and between BANKBOSTON, N.A. ("BB") (formerly known as The First National Bank of Boston) ("FNBB"), a national banking association with its head office at 100 Federal Street, Boston, Massachusetts 02110, and Consolidated Cigar Corporation ("CCC"), a Delaware corporation with its principal place of business at 5900 North Andrews Avenue, Fort Lauderdale, Florida 33309, as successor-in-interest to MFH Finance Corporation ("MFH.")

WHEREAS, MFH and FNBB entered into a Notice of Security Interest in Trademarks dated as of September 12, 1986 (the "Security Interest") whereby MFH granted FNBB a security interest in certain trademarks ("the Trademarks"), as evidenced in the Security Interest attached as Exhibit A hereto, including the trademark "SANTA DAMIANA" (Registration No. 168,631, registered on May 29, 1923);

WHEREAS, the Security Interest was filed and recorded with the United States Patent and Trademark Office on September 19, 1986 at Trademark Reel 0540, Frame 0713;

WHEREAS, MFH was subsequently merged into CCC;

WHEREAS, BB is the successor-in-interest to FNBB;

WHEREAS, BB, as successor-in-interest to FNBB, has agreed to release its security interest in the Trademarks, including the trademark "SANTA DAMIANA";

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, BB and CCC hereby agree as follows:

1. Release and Assignment. BB hereby releases its security interest in and assigns and transfers to CCC, without recourse, all of its right, title and interest in and to the Trademarks, including the trademark "SANTA DAMIANA." All such rights and interests of BB as of the date hereof, shall hereby revert to CCC.

2. Acknowledgement and Acceptance. CCC hereby acknowledges and accepts the foregoing release and assignment by BB.

3. Counterparts. This Release may be executed in any number of counterparts, which shall together constitute but one and the same agreement.

IN WITNESS WHEREOF, BB and CCC by their duly authorized officers, have executed this Release, to take effect as of the date first set forth above.

BANKBOSTON, N.A.

By: Paul K. Hurd  
Title: Managing Dir.

CONSOLIDATED CIGAR CORPORATION

By: [Signature]  
Title: Sen. Vice Pres

State of Georgia

~~Commonwealth of Massachusetts~~

County of ~~Suffolk~~ Fulton ) ss.

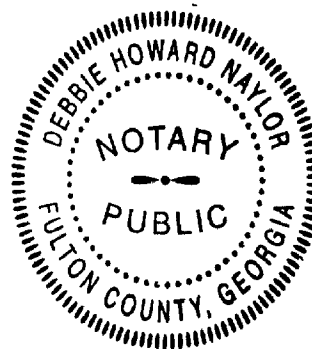
Personally appeared before me, the undersigned, a notary Public in and for said County, John K. Mc, personally known to me, who, being by me first duly sworn, declared that she (he) is the Managing Dir. of BankBoston, N.A. ("BB"), that being duly authorized she (he) did sign and seal said instrument as such officer of and on behalf of BB, and that the same is such bank's free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 26 day of January, 1999.

Debbie Howard Naylor  
Notary Public

My commission expires: \_\_\_\_\_

**Notary Public, Fulton County,  
Georgia. My Commission Expires  
May 7, 1999.**



State of Florida )  
 ) ss.  
County of Broward )

Personally appeared before me, the undersigned, a notary Public in and for said County, Gary E. H., personally known to me, who, being by me first duly sworn, declared that she (he) is the Gen. Mgr. of Consolidated Cigar Corporation ("Consolidated"), that being duly authorized she (he) did sign and seal said instrument as such officer of and on behalf of Consolidated, and that the same is such bank's free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 7 day of February, 1999.



ROBIN LANE JACOBY  
My Comm Exp 7/21/00  
Borden By Service Ins  
No CC571386

Personally Known  Other I D

Robin Jacoby  
Notary Public

My commission expires: 7-21-00

NOTICE OF SECURITY INTEREST IN TRADEMARKS

This Notice of Security Interest in Trademarks ("Notice") is made as of September 12, 1986, by MFH Finance Corporation (the "Borrower"), a Delaware corporation, with its principal place of business located at 400 Plaza Drive, Secaucus, New Jersey 07094, with reference to the following facts:

WHEREAS, the Borrower, MFH Manufacturing Corporation and The First National Bank of Boston (the "Secured Party") have entered into a Demand Loan Agreement (the "Loan Agreement") and the Borrower and the Secured Party have entered into a Security Agreement (the "Security Agreement"), each dated the date hereof whereby the Secured Party has agreed to make a loan to the Borrower on the terms and conditions set forth therein;

WHEREAS, the Borrower has adopted, used and is using the trademarks (the "Trademarks") listed on Exhibit A attached hereto, which trademarks are registered in the United States Patent and Trademark Office; and

WHEREAS, the Borrower has granted the Secured Party a security interest in the Trademarks and in all trademark applications and associated goodwill therein, now or hereafter acquired by the Borrower, pursuant to the terms and conditions set forth in the Loan Agreement and the Security Agreement;

NOW, THEREFORE, for valuable consideration and pursuant to the terms and conditions set forth in the Loan Agreement and the Security Agreement, NOTICE IS HEREBY GIVEN THAT:

1. Pursuant to the Loan Agreement and the Security Agreement, the Borrower has granted to the Secured Party a security interest in all trademarks and trademark applications and associated goodwill therein, now or hereafter acquired by the Borrower, including, without limitation, the trademarks and trademark applications listed on Exhibit A attached hereto and incorporated herein by this reference.

MFH FINANCE CORPORATION

By 

Its VP

Address: MFH Finance Corporation  
400 Plaza Drive  
Secaucus, New Jersey 07094

TRADEMARK  
REEL: 1866 FRAME: 0477

STATE OF NEW YORK

COUNTY OF New York

)  
)  
)

On this 12<sup>th</sup> day of September, in the year 1986, before me, Jane Meade, a notary public in and for said county and state, personally appeared Fred L. Jefferman personally known to me to be the person who executed the foregoing instrument as EVP, on behalf of the corporation therein named and acknowledged to me that the corporation executed it.

Jane Meade  
NOTARY PUBLIC JANE MEADE  
Notary Public, State of New York  
No. 24-01ME4730182  
Qualified in Kings County  
State Filed in New York County  
Commission Expires March 30, 1988

My Commission Expires: \_\_\_\_\_



UNITED STATES

<u>TRADEMARK</u>	<u>REG. NO.</u>	<u>REG. DATE</u>	<u>GOODS</u>
ACCENTS	1,004,356	Feb. 11, 1975	Cigars
BON APPETITS	1,147,313	Feb. 17, 1981	Cigars
BRUTS	1,138,034	July 22, 1980	Cigars
CAMINOS	1,050,221	Oct. 12, 1976	Cigars
CORAL KEY	115,608	Feb. 27, 1917	Cigars
CREMO	311,750	April 3, 1934	Cigars
CROWN (with leaves) in gold with words LA CORONA in white on black background bordered in red and gold (LA CORONA SCEPTERS LIGHT)	1,369,398	Nov. 5, 1985	Cigars
CROWN (with leaves) in white with words LA CORONA in white on red background bordered in white and gold (LA CORONA WHIFFS)	1,369,397	Nov. 5, 1985	Cigars
CROWN (with leaves) in gold with LA CORONA in white on red background bordered in black and gold (LA CORONA WHIFFS)	1,370,472	Nov. 12, 1985	Cigars
CRUSADERS	1,073,307	Sept. 13, 1977	Cigars

DEMI TASSE	811,614	July 26, 1966	Cigars
DENIMS	975,796	Jan. 1, 1974	Cigars
DUDES	965,922	Aug. 14, 1973	Cigars
FLAVOR-LOCK	385,562	March 13, 1941	Cigars
GAUCHO	1,326,276	March 19, 1985	Cigars
GLOBE DEVICE WITH WORDS SUPREME THE WORLD OVER!	831,645	July 4, 1967	Cigars
GRAN FARO	1,302,014	Oct. 23, 1984	Cigars
GRENADIERS	1,364,830	Oct. 8, 1985	Cigars
LA PATRIA	1,235,414	April 19, 1983	Cigars
MARISCALES	1,235,415	April 19, 1983	Cigars
NEEDLES	909,972	March 16, 1971	Cigars
OPULENCIAS	1,102,863	Sept. 19, 1978	Cigars
PRIVATEERS	1,006,990	March 18, 1975	Cigars
RAPIERS	816,883	Oct. 18, 1966	Cigars
ROI-TAN	734,058	July 10, 1962	Cigars
SANTA DAMIANA TOP IRON	309,520	Jan. 16, 1934	Cigars
SCOUT	1,117,825	May 8, 1979	Cigars
SOIREES	1,147,314	Feb. 17, 1981	Cigars
TARQUINS	908,940	March 2, 1971	Cigars
TRIBUTE	1,031,671	January 27, 1976	Cigars
T.V.F.	1,007,475	March 25, 1975	Cigars

ANTONIO Y CLEOPATRA	69,342	June 9, 1908	Cigars
LA CORONA	92,892	Aug. 5, 1913	Cigars
EL AGUILA DE ORO AND DESIGN	136,373	Nov. 2, 1920	Cigars
BOCK Y CA	137,155	Nov. 23, 1920	Cigars
LA FLOR DE HENRY CLAY TOP IRON	137,156	Nov. 23, 1920	Cigars
SANTA DAMIANA	168,631	May 29, 1923	Cigars
CHANCELLOR	227,109	April 26, 1927	Cigars
H DE CABANAS Y CARBAJAL TOP IRON	313,205	May 22, 1934	Cigars
EL AGUILA DE ORO	381,326	Sept. 17, 1940	Cigars
Picture of Seated Figure	528,782	Aug. 8, 1950	Cigars
CABANAS	678,758	May 19, 1959	Cigars
ANTONIO Y CLEOPATRA and Dual Head Device	802,567	Jan. 25, 1966	Cigars
LA CORONA with Device	862,283	Dec. 24, 1968	Cigars
A & C	976,252	Jan. 8, 1974	Cigars
AyC	996,895	Oct. 29, 1974	Cigars
FRIDAYS	1,006,989	March 18, 1975	Cigars
T.G.I.F.	1,010,550	May 13, 1975	Cigars
F Design	1,041,038	June 8, 1976	Cigars