

09-13-1999

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attached original documents or copy thereof.

MRO 9-13-99
Tab settings → → → ▼

To the Honorable Commissioner of Pat

1. Name of conveying party(ies):

SUN LIFE INSURANCE COMPANY OF AMERICA

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

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

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other Corrective Recordation for Security
- Merger
- Change of Name

Interest Release recorded 04/08/1996 on Reel
Execution Date: 1455/Frame 0546 executed 03/17/1996

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

Name: EARTH'S BEST, INC.

Internal Address: Suite 201E

Street Address: 4840 Pearl East

City: Boulder State: CO ZIP: 80301

- 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)

1,560,438

Additional numbers attached? Yes No

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

Name: Kathryn Jennison Shultz

Internal Address: Jennison & Shultz, P.C.

Street Address: Crystal Plaza #1, Suite 1102

2001 Jefferson Davis Highway

City: Arlington State: VA ZIP: 22202

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41): \$ 160.00 **E**
including special handling fee

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

(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.

Kathryn Jennison Shultz

Name of Person Signing

Signature

September 13, 1999

Date

TRADEMARK

REEL: 001927 FRAME: 0402

Total number of pages comprising cover sheet

1

05-02-1996

FORM PTO-1594

REI

(Rev. 6-93)



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U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks

Send original documents or copy thereof.

4-8-96

1. Name of conveying party(ies):

EARTH'S BEST, INC.

- 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: March 17, 1996

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

Name: Sun Life Insurance Company of America

Internal Address: _____

Street Address: 11601 Wilshire Boulevard, 12th Floor

City: Los Angeles State: CA ZIP 90025

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

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No (Designation 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)

Earth's B

B. Trademark Registration No. (s)

1,560,438

Additional numbers attached? Yes No

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

Name: Cooley Godward Castro Huddleson & Tatum

Internal Address: 4th Floor
Attn: Dawn Romaniuk

Street Address: 5 Palo Alto Square
3000 El Camino Real
City: Palo Alto State: CA ZIP 94306

6. Total number of applications and registration involved: 1 (one)

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

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number: 03-3118

(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.

Dawn Romaniuk
Dawn Romaniuk

3/5/96
Date

Total number of pages including cover sheet, attachments, and document: 13

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

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01 FC:481 40.00 DP
02 FC:484 120.00 DP

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TRADEMARK
1. REEL: 1455 FRAME: 0546

TRADEMARK
REEL: 001927 FRAME: 0403

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Registrant/Applicant: Earth's Best, Inc.
 Marks: See Attached Exhibit A

RELEASE OF TRADEMARK SECURITY INTEREST

WHEREAS, Earth's Best Inc., a Delaware corporation, having its principal offices at 4840 Pearl East Circle, Suite 201E Boulder, CO 80301, has adopted, used or had an intent-to-use the trademarks listed in the attached Exhibit A, now registered or in the process of registration in the United States Patent and Trademark Office; and

WHEREAS, Earth's Best, Inc., entered into a Security Agreement dated September 18, 1992 (the "Security Agreement"), with Sun Life Insurance Company of America (hereinafter "Lender"); a true and correct copy of which was recorded by the United States Patent and Trademark Office on September 22, 1992, at Reel 0895, Frame 0196:

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

1. releases and reassigns to Earth's Best, Inc. any and all liens, security interests, right, title and interest of Lender pursuant to the Security Agreement in the trademarks which are described more fully on Exhibit A, without recourse or representation or warranty, express or implied; 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, Lender has caused this Release to be signed by its duly authorized officer as of this 17th day of March, 1996.

SUN LIFE INSURANCE COMPANY
of AMERICA

By: [Signature]
 Name: CHAD WERWINK
 Title: AS AGENT FOR SUN LIFE
INS. CO. OF AMERICA
KENNEDY BL. SUITE 201E BOULDER CO

21066541
022796

TRADEMARK
REEL: 1455 FRAME: 0547

TRADEMARK
REEL: 001927 FRAME: 0404

Exhibit A

REGISTERED U. S. TRADEMARKS

<u>Registration No.</u>	<u>Mark</u>	<u>Registration Date</u>
1,560,438	Earth's Best	10/17/89

U. S. TRADEMARKS APPLICATIONS

<u>Serial No.</u>	<u>Mark</u>
75/017,082	Earth's Best - "infant formula"

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RECORDED: 04/08/1996

RECORDED: 09/13/1999

TRADEMARK
REEL: 1455 FRAME: 0548

TRADEMARK
REEL: 001927 FRAME: 0405