

03-06-2000

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U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks

101282011

attached original documents or copy thereof.

1. Name of conveying party(ies):  
**Bankers Trust Company**

Individuals  Association  
 General Partnership  Limited Partnership  
 Corporation- State: New York  
 Other -

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

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

Name: Select Enterprises, L.L.C.  
 Internal Address: \_\_\_\_\_  
 Street Address: 7955 S. Cass Avenue, Suite 201  
 City: Darien State: Illinois ZIP: 60561

Individual(s) citizenship \_\_\_\_\_  
 Association \_\_\_\_\_  
 General Partnership \_\_\_\_\_  
 Limited Partnership \_\_\_\_\_  
 Corporation- \_\_\_\_\_  
 Other - an Indiana limited liability company

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

3. Nature of conveyance:

Assignment  Merger  
 Security Interest  Change of Name  
 Other - Release of a Security Interest

Execution Date: October 6, 1999

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

A. Trademark Application No.(s)

Additional numbers attached?  Yes  No

Trademark Registration No.(s)\

**Please see attached Schedule A**

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

Name: Brian Jaenicke, Legal Assistant  
 Internal Address: White & Case LLP

Street Address: 1155 Avenue of the Americas  
 City: New York State: NY ZIP: 10036

6. Total number of applications and registration involved: 22

7. Total fee (37 CFR 3.41): ..... \$ 565.00

Enclosed  
 Authorized to be charged to deposit account, in case of deficiency

8. Deposit account number: \_\_\_\_\_  
 (23-1705 in case of deficiency)  
 (Attach duplicate copy of this page if paying by deposit account)

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#03/2000 BCDATES 00000150 1221126

Statement and signature. 40.00 DP  
535.00 DP  
 I, 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.

Brian T. Jaenicke  
 Name of Person Signing

[Signature]  
 Signature

1/25/2000  
 Date

Total number of pages comprising cover sheet: 1

OMB No. 0651-0011 (exp. 4/94)

Do not detach this portion

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

**Commissioner of Patents and Trademarks  
Box Assignments  
Washington, D.C. 20231**

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503.

UNITED STATES TRADEMARKS  
OWNED BY SELECT ENTERPRISES, L.L.C.

Mark	Application Number	Registration Number	Filing Date	Issue Date
NO-CAF	73200698	1221126	1-19-1979	12-21-1982
C CANFIELD'S	72123463	0740273	7-6-1961	11-6-1962
MICKEY MELON	73489506	1337051	7-12-1984	5-21-1985
HAWAIIAN PINEAPPLE	73449745	1375303	10-26-1983	12-10-1985
CANFIELD'S	73495506	1343117	8-20-1984	6-18-1985
CHERRY-OLA	72236461	0828265	1-14-1966	5-2-1967
GRAF'S	71464816	0406221	11-8-1943	3-14-1944
GRAF'S	72336568	0900859	8-28-1969	10-13-1970
GRANDPA GRAF'S	73084064	1056693	4-15-1976	1-18-1977
SWISS CREME	72278578	0853301	8-18-1967	7-23-1968
COUNTRY MIST	74207294	1742469	9-27-1991	12-22-1992
SYMBOL OF EXCELLENCE	72375187	0938156	11-4-1970	7-18-1972
HEEE HAW	74259508	1775407	3-26-1992	6-8-1993
SPRING MIST	74294606	1796051	7-16-1992	9-28-1993
STRAWBERRY SUPREME	72405874	0950437	10-26-1971	1-9-1973
WILDWOOD	72395196	0992083	6-18-1971	8-27-1974
CHICAGO COW	74278687	1840061	5-26-1992	6-14-1994

Mark	Application Number	Registration Number	Filing Date	Issue Date
CANFIELD'S	72436111	0976004	9-19-1972	1-1-1974
AQUA CLEAR	74455733	2024241	11-9-1993	12-17-1996
ALLIGATOR	74497554	1890091	3-7-1994	4-18-1995
WATERTOWER	73789983	1566268	3-30-1989	11-14-1989
JUICYFUL	73462709	1411874	1-26-1984	9-30-1986

**TRADEMARK RELEASE**

This Release granted on this 6<sup>th</sup> day of October, 1999, by BANKERS TRUST COMPANY, as Agent ("Agent"), to SELECT ENTERPRISES, L.L.C., an Indiana Limited Liability Company ("Grantor"), as follows:

**W I T N E S S E T H**

WHEREAS, the Grantor has heretofore granted to the Agent a security interest in certain U.S. trademarks, trademark registrations and trademark applications more particularly set forth on Schedule A attached hereto (the "Marks") to secure the Obligations (as defined in the Trademark Security Agreement and the Security Agreement, dated as of June 14, 1995, between the Agent and the Grantor (collectively, the "Security Agreements")); and

WHEREAS, the Agent wishes to release and restore all right, title and interest in and to the Marks to the Grantor and to dissolve any and all Liens and encumbrances respecting the Marks shown on the attached Schedule A hereto.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, the Agent hereby releases, discharges, quit claims and relinquishes unto the Grantor any and all right, title and interest in and to the Marks, and more particularly, the security interest in the patents, mark registrations and mark applications as set forth on Schedule A hereto, granted to Agent by the Grantor by the Security Agreements, which Assignment was duly recorded on January 11, 1996 at Trademark Reel 1422, Frame 0873 in the United States Patent and Trademark Office.

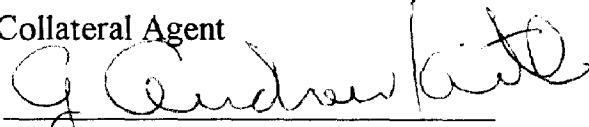
IN WITNESS WHEREOF, the undersigned, by and through its authorized officer,

has caused this instrument to be executed under seal on the date first written above.

BANKERS TRUST COMPANY,

as Collateral Agent

By

  
Name: G. Andrew Keith

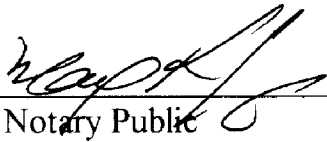
Title: Vice President

STATE OF NEW YORK )

) ss.:

COUNTY OF NEW YORK )

On this 6<sup>th</sup> day of October, 1999, before me personally appeared G. Andrew Keith, to me known who, being by me duly sworn, did depose and say that he is Vice President of Bankers Trust Company described herein and which executed the foregoing instrument and that he signed his name thereto pursuant to the authority granted by Bankers Trust Company.

  
\_\_\_\_\_  
Notary Public