

RECOF

09-19-2000



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U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Tab settings

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

1. Name of conveying party(ies):

FIRST UNION COMMERCIAL CORPORATION, as Agent

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

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

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other Release of Security Interests in Trademarks
- Merger
- Change of Name

Execution Date: June 23, 2000

2. Name and address of receiving party(ies)

Name: FRESH FOODS, INC.

Internal Address: Attention: Chief Financial Officer

Street Address: 9990 Princeton Road

City: Cincinnati State: Ohio ZIP: 45246

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State North Carolina
- 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 patent number(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

See Exhibit A, attached.

Additional numbers attached? Yes No

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

Name: Carruthers & Roth, P.A.

Internal Address: Attn: Linda K. Sullivan

Street Address: 235 North Edgeworth Street

City: Greensboro State: NC ZIP: 27401

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41).....\$ 1,040.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

09/18/2000 MTHA11 00000475 74695460

DO NOT USE THIS SPACE

01 FC:481 40.00 DP
02 FC:482 1000.00 DP

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.

Linda K. Sullivan
Name of Person Signing

Carruthers & Roth, P.A.
By: Linda K. Sullivan
Signature

8-23-00
Date

Total number of pages including cover sheet, attachments, and document: 7

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

TRADEMARK
REEL: 002140 FRAME: 0438

**EXHIBIT A
TO TRADEMARKS ONLY COVER SHEET**

MARK	SERIAL NUMBER	REGISTRATION NUMBER	REGISTRATION DATE
BREAKFAST ON THE GO! And Design	74/695,460	2,005,805	10/08/1996
CAFE PIERRE	74/364,057	1,876,055	01/24/1995
COMMODITY MAGIC	73/496,943	1,331,238	04/16/1985
DINE 'N' WITH	74/507,554	1,912,699	08/15/1995
FAST CHOICE	75/076,168	2,052,455	04/15/1997
FAST CHOICE	75/076,172	2,152,895	04/21/1998
FRENCH TOAST BOAT	73/766,865	1,554,935	09/05/1989
FRENCH TOAST BOAT and Design	73/774,889	1,626,155	12/04/1990
GLOBAL GRILL	75/208,171	2,112,383	11/11/1997
GOLDDIGGER	73/173,253	1,121,101	06/26/1979
H.E.L.P.S. HEALTHCARE ENTRÉE LOW PREP SOLUTIONS	75/392,520	2,273,614	08/31/1999
HOT DIGGITY SUBS	73/464,251	1,388,435	04/01/1986
HOT DIGGITY SUBS and Design	73/464,161	1,387,648	03/25/1986
LEAN MAGIC	74/140,493	1,677,773	03/03/1992
LIKE MOM'S and Design	73/720,859	1,517,327	12/20/1988
LINK-N-DOG	74/507,074	1,917,400	09/05/1995
MICRO-WICHES	73/703,228	1,505,035	09/20/1988
PIERRE CLASSICS	75/076,169	2,052,456	04/15/1997
PIERRE MAIN STREET DINER	74/613,401	2,016,292	11/12/1996
PIZZA PARLOR SANDWICH	73/366,680	1,270,140	03/13/1984
PIZZA PARLOR SANDWICH	74/058,325	1,642,199	04/23/1991
PIZZA PARLOR SUB	74/521,385	1,926,623	10/10/1995
QUICK-WICHES	74/334,074	1,784,320	07/27/1993
RIB-B-Q	73/373,463	1,257,730	11/15/1983
RIB-B-Q	73/408,608	1,270,954	03/20/1984
RIB-B-Q	73/822,522	1,598,832	05/29/1990
RIB-B-Q and Design	73/400,038	1,276,424	05/01/1984
RIB-B-Q and Design	73/408,773	1,275,419	04/24/1984
RIB-B-Q and Design	75/252,821	2,132,710	01/27/1998
SAUS-A-RAGE	74/507,127	1,928,706	10/17/1995
TWO-FERS	73/690,934	1,505,013	09/20/1988
TWO-FERS	73/822,571	1,599,764	06/05/1990
WONDERBITES	74/291,428	1,781,595	07/13/1993

MARK	SERIAL NUMBER	REGISTRATION NUMBER	REGISTRATION DATE
FLUFFY and Design	73/411,034	1,272,996	04/03/1984
MOM 'N' POP'S	73/102,603	1,065,988	05/17/1977
MOM 'N' POP'S	73/102,602	1,071,065	08/09/1977
MOM 'N' POP'S	73/455,993	1,341,236	06/11/1985
MOM 'N' POP'S and Design	73/457,697	1,335,749	05/14/1985
MOM 'N' POP'S and Design	73/457,698	1,341,238	06/11/1985
MOM 'N' POP'S and Design	73/121,892	1,095,364	07/04/1978
MOM'S KITCHEN	73/209,212	1,146,516	01/27/1981

RELEASE OF SECURITY INTERESTS IN TRADEMARKS

THIS RELEASE OF SECURITY INTERESTS IN TRADEMARKS ("Release") is made this 23rd day of June, 2000, by FIRST UNION COMMERCIAL CORPORATION, as Agent (the "Secured Party") in favor of FRESH FOODS, INC., a North Carolina corporation (the "Grantor");

WITNESSETH:

WHEREAS, the Grantor and the Secured Party executed a Notice of Grant of Security Interest in Trademarks ("Security Agreement"), dated June 9, 1998, which was recorded on July 2, 1998, at Reel 1751, Frame 0014, United States Patents and Trademarks Office, pursuant to which the Grantor granted the Secured Party a lien in and security interest upon certain trademarks and trademark applications of the Grantor as more particularly described in the Security Agreement (the "Trademarks"); and

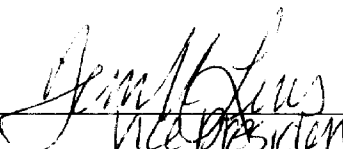
WHEREAS, the Secured Party, at the request of the Grantor, has agreed to release and terminate its lien in and security interest upon the Trademarks;

NOW THEREFORE, in consideration of the premises, and for other good and valuable consideration, the receipt and sufficiency of which are hereby expressly acknowledged, the Secured Party hereby releases, discharges and terminates its lien in and security interest upon the Trademarks, and transfers and conveys to the Grantor, all of the Secured Party's right, title and interest in the Trademarks and the goodwill associated therewith.

This Release shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, the Secured Party has duly executed this Release as of the day and year first above written.

FIRST UNION COMMERCIAL CORPORATION,
as Agent

By: 
Title: VICE PRESIDENT

STATE OF NORTH CAROLINA

COUNTY OF Mecklenburg

The foregoing instrument was executed and acknowledged before me this 23rd day of June, 2000, by Terr Lins, personally known to me to be the Vice President of FIRST UNION COMMERCIAL CORPORATION, on behalf of the corporation.

Deborah L. Hope

Notary Public

My Commission Expires: 7/29/02