

11-07-2000



101508012

9.14.00

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 Assignment and RELEASE of Intellectual Property Security Agreement
- Effective Date
Month Day Year

Conveying Party

Mark if additional names of conveying parties attached
Execution Date
Month Day Year

Name Comerica Bank-California 09 08 2000

Formerly _____ 75486719

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

Receiving Party

Mark if additional names of receiving parties attached

Name Peet's Coffee and Tea, Inc.

DBA/AKA/TA _____

Composed of _____

Address (line 1) 1400 Park Avenue

Address (line 2) _____

Address (line 3) Emeryville CA 94608

- Individual General Partnership Limited Partnership Association
- Corporation Association
- Other _____

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.)

Citizenship/State of Incorporation/Organization Washington

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

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Correspondent Name and Address

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Pages

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

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)

Number of Properties

Enter the total number of properties involved. #

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: #

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.

David Adams

D. Elaine Howard, Legal Assistant

Elaine Howard

09/12/2000

Name of Person Signing

Signature

Date Signed

RECORDATION FORM COVER SHEET
CONTINUATION
TRADEMARKS ONLY

Conveying Party

Enter Additional Conveying Party

Mark if additional names of conveying parties attached

Execution Date
Month Day Year

Name

Formerly

Individual General Partnership Limited Partnership Corporation Association

Other

Citizenship State of Incorporation/Organization

Receiving Party

Enter Additional Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)
City State/Country Zip Code

Individual General Partnership Limited Partnership

Corporation Association

Other

Citizenship/State of Incorporation/Organization

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Registration Number(s)

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Name

DBA/AKA/TA

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Address (line 1)

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CONFIDENTIAL
Trademark Property Status Report

Country	Trademark	Class(es)	Serial No. Filing Date	Reg. No. Issue Date	Status and Remarks	TTC Ref Client Re Atty(s) Hand
Canada	PEETS		750846 03/29/94	465933 11/08/96	Registered Next Renewal Due: 11/08/11	18705-6CA JFS (BWS)
Canada	PEETS & MUG DESIGN		767729 11/03/94	466696 11/29/96	Registered Next Renewal Due: 11/29/11	18705-8CA JFS/TJA (BWS)
Canada	PEETS COFFEE & TEA (STYLIZED)		767728 11/03/94		Allowed	18705-9CA JFS/TJA (BWS)
Japan	PEETS	29		2663026	Registered Next Renewal Due: 05/31/04	18705-6-0-2JP JFS (BWS)
Japan	PEETS	30	3361794 04/04/94	4045957 08/22/97	Registered Next Renewal Due: 08/22/07	18705-6JP JFS/TJA (BWS)
Japan	PEETS	42	3361894 04/04/94	4024777 07/11/97	Published Next Renewal Due: 07/11/07	18705-6-0-1JP JFS/TJA (BWS)
Japan	PEETS (in Katakana)	30	3361994 04/04/94	411130 02/06/98	Registered Next Renewal Due: 02/06/08	18705-7JP JFS/TMS (BWS)
Japan	PEETS (in Katakana)	42	3362094 04/04/94	4024778 07/11/97	Published Next Renewal Due: 07/11/07	18705-7-0-1JP JFS (BWS)
United States	BLEND 101	030;	75/486819 05/19/98		Pending Response due (ext. to 03/14/99)	18705-19US (BWS)
United States	DEEP ROAST	030;	75/234184 01/31/97		Pending Response to final Office action due (ext. to 10/22/98)	18705-5US JFS (BWS)

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Trademark Property Status Report

United States	GAIA ORGANIC BLEND	030;	75/487377 05/18/98			Pending Date of First Use: 05/11/98 Response due (ext. to 03/18/99)	18705-22US (BWS)
United States	GARUDA BLEND	030;	73/090372 06/14/76	1061798 03/22/77		Registered Date of First Use: 12/01/73 Affidavit of Use Due: 03/22/82; completed Next Renewal Due: 03/22/07 End Sec.8 due 03/22/83; completed	18705-13US JFS/TJA (BWS)
United States	MAJOR DICKASON'S BLEND	030;	72/397592 07/16/71	945867 10/24/72		Registered Date of First Use: 04/01/67 Affidavit of Use Due: 10/24/77; completed Next Renewal Due: 10/24/02 End Sec.8 due 10/24/78; completed	18705-15US (BWS)
United States	PEETS	030;	72/397590 07/16/71	955284 03/13/73		Registered Date of First Use: 04/01/66 Affidavit of Use Due: 03/13/78; completed Next Renewal Due: 03/13/03 End Sec.8 due 03/13/79; completed	18705-6US JFS/TMS (BWS)
United States	PEETS	042;	73/685493 09/21/87	1500867 08/16/88		Registered Date of First Use: 04/01/66 Affidavit of Use Due: 08/16/93; completed Next Renewal Due: 08/16/08 End Sec.8 due 08/16/94; completed 8&15 accepted 3/7/94;	18705-6-0-1US JFS (BWS)
United States	PEETS DEEP-ROAST	030;	75/518496 07/14/98			Pending Date of First Use: 03/01/97 Response due (ext. to 04/14/99)	
United States	PEETS & MUG DESIGN	030; 042;	73/685492 09/21/87	1496949 07/19/88		Registered Date of First Use: 06/01/87 Affidavit of Use Due: 07/19/93; completed Next Renewal Due: 07/19/08 End Sec.8 due 07/19/94; completed 8&15 accepted 3/2/94;	18705-8US JFS (BWS)
United States	PEETS & NEW MUG DESIGN	030; 035; 042;	75/179806 10/09/96			Abandoned abandonment of tlc matter/closure of file 5/21/98; notice of abandonment 7/24/98;	18705-12US JFS/TJA (BWS)

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Trademark Property Status Report

United States	PEET'S COFFEE TEA & SPICES & DESIGN	030;	72/397593 07/16/71	955285 03/13/73	Registered Date of First Use: 04/01/66 Affidavit of Use Due: 03/13/78; completed Next Renewal Due: 03/13/03 End Sec.8 due 03/13/79; completed	18705-11US JFS (BWS)
United States	PEET'S COFFEE & TEA (NEW STYLIZED)	030; 035; 042;	75/178827 10/09/96		Abandoned abandonment of ttc matter/closure of file 5/21/98; notice of abandonment 7/24/98;	18705-10US JFS/TJA (BWS)
United States	PEET'S COFFEE & TEA (STYLIZED)	030; 042;	74/302214 08/05/92	1818311 01/25/94	Registered Date of First Use: 05/01/92 Affidavit of Use Due: 01/25/99 End Sec.8 due 01/25/00	18705-9US JFS (BWS)
United States	PUMPHREY'S BLEND	030;	74/320681 10/06/92	1774362 06/01/93	Registered Date of First Use: 04/01/67 Affidavit of Use Due: 06/01/98 End Sec.8 due 06/01/99	18705-14US JFS/TJA (BWS)
United States	SIERRA DORADA BLEND	030;	75/447887 03/10/98		Pending Date of First Use: 03/01/97	18705-4US (BWS)
United States	TOP BLEND	030;	75/486820 05/19/98		Pending Response due (ext. to 03/14/99)	18705-20US (BWS)
United States	VINE STREET BLEND	030;	75/496603 06/05/98		Pending	18705-21US (BWS)

October 29, 1998

ASSIGNMENT AND RELEASE OF
INTELLECTUAL PROPERTY SECURITY AGREEMENT

RECITALS

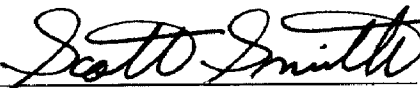
A. Pursuant to that certain Intellectual Property Security Agreement dated as of December 16, 1998, by PEET'S COFFEE AND TEA, INC., a Washington corporation, PEET'S COMPANIES, INC., a Washington corporation, PEET'S TRADEMARK COMPANY, INC., a Washington corporation (hereafter collectively "Assignors" and individually "Assignor") in favor of COMERICA BANK-CALIFORNIA, a California chartered bank ("Lender"), and recorded with the U.S. Patent and Trademark Office on January 12, 1999, at Reel 1838, commencing at Frame 0881, each Assignor granted to Lender a security interest in and lien on all of such Assignor's interest in and to the Intellectual Property Collateral (as defined therein).

B. Lender desires to release its security interest in and lien on the Intellectual Property Collateral.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Lender hereby releases its security interest in and lien on the Intellectual Property Collateral including, without limitation, the Trademarks set forth in the attached Schedule 1, and reassigns to each Assignor, without representation or warranty, express or implied, and without recourse, all right, title and interest of Lender in and to such Assignor's interest in such Intellectual Property Collateral.

Dated: ~~August~~ ^{September} 8, 2000

COMERICA BANK-CALIFORNIA

By: 
Name: Scott Smith
Title: Vice President

SCHEDULE 1

(Trademarks)

See attached 3 pages