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To the Honorable Commissioner of Pat

101581140

Attached original documents or copy thereof.

1. Name of conveying party(ies):

Union Bank of California, N.A., as  
Administrative Agent

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

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

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other Partial Release of Trademark  
Security Agreement
- Merger
- Change of Name

Execution Date: \_\_\_\_\_

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

Name: Aiello Bros. Cheese Co. Inc.

Internal Address: \_\_\_\_\_

Street Address: 7609 18th Ave.

City: Brooklyn State: NY ZIP: 11214

- Individual(s) citizenship \_\_\_\_\_
- Association \_\_\_\_\_
- General Partnership \_\_\_\_\_
- Limited Partnership \_\_\_\_\_
- Corporation-State New York
- 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)

n/a

B. Trademark registration No.(s)

1,967,903

Additional numbers attached?  Yes  No

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

Name: Sheppard, Mullin, Richter & Hampton  
LLP

Internal Address: Attn: J. Cravitz

Street Address: 333 Hope St., 48th Floor

City: Los Angeles State: CA ZIP 90071

6. Total number of applications and registrations involved: \_\_\_\_\_

1

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

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number: \_\_\_\_\_

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

01/12/2001 ANMED1 00000098 1967903

01 FC:481 40.00 DP

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.

Name of Person Signing

Signature

Date

Total number of pages comprising cover sheet: \_\_\_\_\_

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.

TRADEMARK

REEL: 002210 FRAME: 0579

## PARTIAL RELEASE OF TRADEMARK SECURITY AGREEMENT

THIS PARTIAL RELEASE OF TRADEMARK SECURITY AGREEMENT (this "Partial Release"), dated as of Jan. 4, 2001, is executed by UNION BANK OF CALIFORNIA, N.A., as Administrative Agent ("Administrative Agent") under the Credit Agreement referred to below, in light of the following facts:

### RECITALS

A. Pilot Chemical Holdings, Inc. ("Holdings"), Pilot Chemical Corp., Pilot Chemical of California, Pilot Chemical Company of Ohio, Pilot Laboratories, Inc. and Pilot Industries of Texas, (collectively, "Pledgors"), executed a Trademark Security Agreement in favor of Union Bank of California, N.A., as Administrative Agent for itself and the Lenders (as defined below), dated as of July 13, 2000 (the "Security Agreement"), which was filed with the U.S. Office of Patents and Trademarks on August 17, 2000 in Reel/Frame 002132/0612, pursuant to which Pledgors granted to Administrative Agent a security interest in the "Collateral" referred to in such Security Agreement, which includes various trademarks specified therein, as collateral security for the payment and performance of Pledgors' obligations to Administrative Agent and the Lenders under that certain Credit Agreement, dated as of July 13, 2000, among Holdings, the Lenders from time to time party thereto ("Lenders"), and Union Bank of California, N.A., as Administrative Agent (the "Credit Agreement").

B. Pledgors and Administrative Agent inadvertently specified the wrong registration number in the Security Agreement with respect to one of the trademarks covered thereby, and wish to release the recording only against the incorrect trademark from the Security Agreement as recorded in the records of the U.S. Office of Patents and Trademarks, so as not to impair the title of the "Dairymaid Aiello's Original" mark, bearing registration no. 1,967,903 (the "Incorrect Trademark"), which was the trademark incorrectly referred to in the Security Agreement. The Incorrect Trademark is owned by Aiello Bros. Cheese Co. Inc. ("Owner").

NOW, THEREFORE, Administrative Agent hereby releases to Owner, without representation or warranty of any kind, the Incorrect Trademark from the Security Agreement. Nothing contained in this Partial Release in any way releases or terminates the security interest claimed by Administrative Agent as to the other trademarks, now owned or hereafter acquired by Pledgors, subject to the Security Agreement.

IN WITNESS WHEREOF, Administrative Agent has executed this Partial  
Release of Trademark Security Agreement as of the date first above written.

UNION BANK OF CALIFORNIA, N.A., as  
Administrative Agent

By: W. David G. G.  
Title: S. V. P.



# U.S. Trademark Electronic Search System (TESS)

TESS was last updated on Thu Dec 28 04:10:35 EST 2000

- PTO HOME
- TRADEMARK
- TESS HOME
- NEW USER
- STRUCTURED
- FREE FORM
- Browse Data
- BOTTOM
- HELP

Please logout when you are done to release system resources allocated for you.

## Record 1 out of 1

**Check Status** (TARR contains current status, correspondence address and attorney of record for this mark. Use the "Back" button of the Internet Browser to return to TESS)



<b>Word Mark</b>	DAIRYMAID AIELLO'S ORIGINAL
<b>Goods and Services</b>	IC 029. US 046. G & S: cheese. FIRST USE: 19540100. FIRST USE IN COMMERCE: 19540100
	IC 039. US 100 105. G & S: transporting, storage and delivery of cheese products by truck. FIRST USE: 19540100. FIRST USE IN COMMERCE: 19540100
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	020302 190702 200306 260102 260104 260120
<b>Serial Number</b>	74583241
<b>Filing Date</b>	October 7, 1994
<b>Published for Opposition</b>	January 23, 1996
<b>Registration Number</b>	<b>1967903</b>
<b>Registration Date</b>	April 16, 1996
<b>Owner</b>	(REGISTRANT) Aiello Bros. Cheese Co. Inc. CORPORATION NEW YORK 7609 18th Avenue Brooklyn NEW YORK 11214
<b>Attorney of Record</b>	Kenneth M. Dalton
<b>Disclaimer</b>	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ORIGINAL" APART FROM THE MARK AS SHOWN
<b>Type of Mark</b>	TRADEMARK. SERVICE MARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE