

FORM PTO-1618A  
Expires 06/30/99  
OMB 0651-0027



01-12-2001

U.S. Patent & TMOfo/TM Mail Rept. Dt. 4

01-29-2001



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### 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 1-12-01

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 Effective Date  
Month Day Year  
1/02/01

Change of Name

Other

#### Conveying Party

Mark if additional names of conveying parties attached

Name  Execution Date Month Day Year

Formerly

Individual  General Partnership  Limited Partnership  Corporation  Association

Other

Citizenship/State of Incorporation/Organization

#### 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  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.)

Corporation  Association

Other

Citizenship/State of Incorporation/Organization

TRADEMARK OFFICE  
 RECEIVED  
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#### FOR OFFICE USE ONLY

01/26/2001 AAHMED1 00000127 200052 1335813

01 FC:481 40.00 CH  
02 EC:482 50.00 CH

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. 20503

REEL: 002220 FRAME: 0815

**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)		
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="1,335,813"/>	<input type="text" value="1,563,649"/>	<input type="text" value="1,558,342"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**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.

Christine E. Wilson

1/8/01

Name of Person Signing

Signature

Date Signed

RELEASE AND REASSIGNMENT OF TRADEMARKS

THIS RELEASE AND REASSIGNMENT, dated January 2, 2001, is given by BANK OF AMERICA, N.A., formerly known as Bank of America National Trust and Savings Association ("Bank").

WITNESSETH:

WHEREAS, Bank and Black Mountain Spring Water, Incorporated ("Borrower") are parties to a certain Security Agreement – General Intangibles (Patents, Trademarks, Copyrights, Computer Software) dated as of August 11, 1993 (the "Security Agreement"), pursuant to which Borrower granted a security interest to Bank in certain trademarks listed on Exhibit "A" attached hereto (the "Trademarks") and certain other property as security for Borrower's Indebtedness (as defined in the Security Agreement) to Bank;

WHEREAS, the Security Agreement was recorded by the Assignment Branch of the U.S. Patent and Trademark Office on August 16, 1994, on Reel 1204, Frames 009-013;

WHEREAS, Borrower has satisfied the Indebtedness and has requested that Bank release its security interest in the Trademarks and reassign the same to Borrower;

NOW, THEREFORE, for good and valuable consideration, receipt and sufficiency of which are hereby acknowledged, Bank hereby releases its security interest in, and reassigns, grants and conveys to Borrower, without any representation, warranty, recourse or undertaking by Bank, all of its right, title and interest, if any, in and to the Trademarks.

IN WITNESS WHEREOF, Bank has caused this Release and Reassignment to be duly executed by its duly authorized officer as of the day and year first above written.

BANK OF AMERICA, N.A.

By



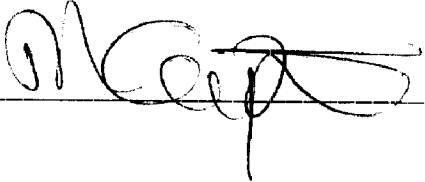
Chris P. Giannotti  
Senior Vice President

ACKNOWLEDGEMENT

State of California  
County of Santa Clara

On January 2 2001, before me, Manorama Gupta personally appeared CHRIS P. GIANNOTTI, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature 

(Seal)

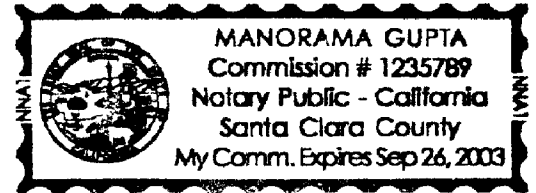


EXHIBIT A TO RELEASE AND REASSIGNMENT OF TRADEMARKS

BLACK MOUNTAIN SPRING WATER, INCORPORATED

TRADEMARKS AND SERVICE MARKS

<u>State or Country</u>	<u>Application or Registration No.</u>	<u>Registration Date</u>	<u>Trademark or Service Mark</u>
USA	1,335,813	05-14-85	Black Mountain
USA	1,563,649	10-31-89	Black Mountain Logo
USA	1,558,342	09-26-89	Put a Little Spring in Your Life