

03-09-2001

FORM PTO-1594 (Modified)
1-31-92



U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

ET

101631956

Attorney Docket No.: 9262-AFF

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

1. Name of conveying party(ies):

**The CIT Group/Business Credit, Inc.
f/k/a The CIT Group/Credit Finance, Inc.**

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

**Boyer Candy Company, Inc.
821 17th Street
Altoona, PA 16602**

3. Nature of conveyance:

- Assignment Merger
- Security Agreement Change of Name
- Other: Release of Security Interest of Trademarks

Execution Date: December 27, 2000

- Individual(s) citizenship:
- Association:
- General Partnership:
- Limited Partnership: Pennsylvania
- Corporation-State: Delaware
- Other:

If assignee is not domiciled in the U.S.A., a domestic representative designation is attached: Yes; No

(Designations must be a separate document from Assignment)

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

A. Trademark Application No.(s):

B. Trademark Registration No.(s):

625,961
669,032

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

**Roberta Jacobs-Meadway
AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.**
One Commerce Square
2005 Market Street, 22nd Floor
Philadelphia, PA 19103-7086
Telephone: 215-965-1200
Facsimile: 215-965-1210
E-Mail: rjacobs-meadway@akingump.com

6. Total number of applications and registrations involved: [2]

7. Total fee (37 CFR 3.41) Cal. 1 x \$40.00 = \$ **40.00**

1 x \$25.00 = \$ **25.00**

Check enclosed for **\$65.00**

8. Deposit account number:

DO NOT USE THIS SPACE

65E

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.

Roberta Jacobs-Meadway
Name of Person

Signing Signature

2/26/01
Date

Total number of pages including cover sheet, attachments and document: [3]

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

03/08/2001 GT0N11 00000162 625961

01 FC:481 40.00 OP
02 FC:482 25.00 OP

TRADEMARK
REEL: 002247 FRAME: 0334

RELEASE OF SECURITY INTEREST OF TRADEMARKS

THIS RELEASE is granted by THE CIT GROUP/BUSINESS CREDIT, INC. (f/k/a THE CIT GROUP/CREDIT FINANCE, INC.) (hereinafter referred to as "CIT") to BOYER CANDY COMPANY, INC., a Delaware Corporation (hereinafter referred to as "Boyer").

WHEREAS, CIT entered into a Loan and Security Agreement dated April 16, 1993 (the "Loan Agreement") with Boyer; and,

WHEREAS, Boyer and CIT entered into a Trademark and Patent Security Agreement (hereinafter referred to as the "Security Agreement") dated April 16, 1993, by which CIT acquired a security interest in all right, title and interest in and to Boyer's trademarks and service marks, together with the goodwill of the business symbolized by such trademarks and service marks, and the applications or registrations thereof, including but not limited to, the trademarks and service marks listed in Exhibit "A" attached to the Security Agreement to secure the payment and performance of the obligations in the Loan Agreement; and,

WHEREAS, the Security Agreement was recorded in the U.S. Patent and Trademark Office on April 21, 1993 at Reel 955 at Frame 306; and,

WHEREAS, all of the obligations under the Loan Agreement have been satisfied and CIT desires to release the security interest granted in the Security Agreement;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, CIT hereby releases any security interest it may have had in the "Trademarks" (as defined in the Security Agreement) including without limitation all right, title and interest in and to Boyer's trademarks and service

marks, together with the goodwill of the business symbolized by such trademarks and service marks, and the applications and registrations thereof, including but not limited to, the trademarks and service marks listed in Exhibit "A" attached to the Security Agreement to Boyer.

IN WITNESS WHEREOF, CIT has caused this Release to be executed by its duly authorized officer this 27 day of December, 2000.

THE CIT GROUP/BUSINESS CREDIT, INC.
(f/k/a THE CITY GROUP/CREDIT FINANCE, INC.)

By: *Peter L Skavla*
Name: *Peter L Skavla*
Title: *Vice President*

STATE OF NEW YORK)
) SS:
COUNTY OF *New York*)

On this 27 day of December, 2000 before me appeared *PETER SKAVLA*, the person who signed this instrument, who acknowledged that (s)he is the *V.P.* of The CIT Group/Business Credit, Inc., and that being duly authorized (s)he signed such instrument as a free act on behalf of The CIT Group/Business Credit, Inc.

Stanley R Karp
(Notary Public)

My Commission Expires: *April 18 2002*

STANLEY R. KARP
Notary Public, State of New York
No. 02KA5057858
Qualified in Suffolk County
Commission Expires April 1 2002