

03-23-2001



101645633

RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

3-23-01

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

Effective Date
Month Day Year

Conveying Party

Mark if additional names of conveying parties attached

Execution Date
Month Day Year
03 02 01

Name

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/AKATA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

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

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.)

03/23/2001 BYRNE 00000141 74254802

01 FC:401
02 FC:402

40.00 OP
800.00 OP

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 Practices. 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.

Erik D. Ojala

Erik D. Ojala
Signature

3/22/01

Date Signed

Name of Person Signing

RECORDATION FORM COVER SHEET
CONTINUATION
TRADEMARKS ONLY

Conveying Party

Enter Additional Conveying Party

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Execution Date
Month Day Year

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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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Trademark Application Number(s)

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Registration Number(s)

<input type="text" value="0981269"/>	<input type="text" value="1335701"/>	<input type="text" value="1650470"/>
<input type="text" value="1016402"/>	<input type="text" value="1359416"/>	<input type="text" value="1701152"/>
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<input type="text" value="1150556"/>	<input type="text" value="1515611"/>	<input type="text" value="1745284"/>
<input type="text" value="1171498"/>	<input type="text" value="1521997"/>	<input type="text" value="1753328"/>
<input type="text" value="1192226"/>	<input type="text" value="1534890"/>	<input type="text" value="1778016"/>
<input type="text" value="1253413"/>	<input type="text" value="1567410"/>	<input type="text" value="1789953"/>

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Registration Number(s)

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RELEASE OF TRADEMARKS

THIS RELEASE OF TRADEMARKS ("Release") dated as of March 2, 2001, by Bank of America, N.A., as the former lender (the "Lender"), to Vienna Beef Ltd., Vienna Sausage Manufacturing Co., Pie Piper Products, Ltd. and Bistro Soups, Ltd. (collectively, the "Borrowers").

WITNESSETH:

WHEREAS, Continental Bank N.A., the predecessor to Lender, and the Borrowers were parties to a Credit Agreement dated as of January 28, 1993 (as amended, supplemented or otherwise modified from time to time, the "Credit Agreement");

WHEREAS, pursuant to the Credit Agreement, the Lender and Borrowers entered into a Trademark Agreement dated as of January 28, 1993 pursuant to which the Borrowers granted a security interest in certain trademarks (the "Trademarks") as described in Schedule A attached hereto recorded with the U.S. Patent and Trademark Office at Reel 0939, Frames 0049, as partial security for the Borrowers' obligations under the Credit Agreement (the "Obligations"); and

WHEREAS, the Borrowers have satisfied their Obligations and therefore the Borrowers have requested that the Lender release its security interest in the Trademarks by executing and delivery this Release.

NOW THEREFORE, for good and valuable consideration, receipt and sufficiency of which are hereby acknowledged:

1. The Lender hereby releases its security interest in the following:

(a) all trade secrets and other proprietary information, trademarks, service marks, business names, logos, indicia and/or other source and/or business identifiers and the goodwill of the business relating thereto and all registrations which have heretofore been or may hereafter be issued thereon throughout the world, including, without limitation, the Trademarks referred to in Schedule A hereto; and

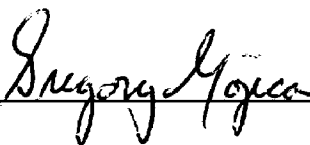
(b) all products, offspring, rents, issues, profits, returns, income and proceeds of and from any claims relating to the foregoing and, to the extent not otherwise included, all payments under insurance, or any indemnity, warranty or guaranty, payable by reason of loss or damage to or otherwise in respect to any of the foregoing.

2. This release shall be governed by and construed in accordance with Illinois law.

[Signature page to follow]

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

BANK OF AMERICA, N.A.

By: 

Its: **GREGORY MOUCA**
SENIOR VICE PRESIDENT

SCHEDULE A

TRADEMARKS

A. Trademark Application Numbers

<u>Application No.</u>	<u>Trademark</u>	<u>Filing Date</u>
74/254802	Wonderbar	3/12/92

B. Trademark Registration Numbers

Vienna Beef Ltd.

<u>Registration No.</u>	<u>Trademark</u>	<u>Registration Date</u>
1196368	Pie Piper	5/25/82
1208784	Pie Piper & Design	9/14/82
1286269	Pie Piper	7/17/84
1657543	Chipico	9/17/91

Vienna Sausage Manufacturing Company

<u>Registration No.</u>	<u>Trademark</u>	<u>Registration Date</u>
0636028	V and Design	10/16/56
0661990	V & Design	5/20/58
0673266	Vienna	1/27/59
0847093	Frankwurst	4/2/68
0946896	Knockfurter	11/7/72
0981269	Vienna Beef	3/26/74
1016402	Woofers	7/22/75
1055681	Frank McFurter	1/4/77
1150556	Firedog	4/7/81
1171498	Value Line	9/29/81
1192226	Deli Feast	3/16/82
1253413	Hot Smokey's	10/4/83
1335701	Mr. Kitzel's	5/14/85
1359416	Vienna Beef w/ Design	9/10/85
1448725	Bistro-Soups	7/21/87
1515611	Rippers	12/6/88
1521997	Arena Red Hots	1/24/89
1534890	Our TenderRoast	4/11/89
1567410	Bagelpups	11/21/89
1650470	Make Me One With Everything	7/9/91
1701152	Chicago Love Affair	7/14/92
1725985	Número Uno	10/20/92
1745284	The Original Chicago Style	1/5/93
1753328	Hot Dog Lovers Hot Dog	2/16/93

<u>Registration No.</u>	<u>Trademark</u>	<u>Registration Date</u>
1778016	Wunderbar	6/22/93
1789953	The Great Chicago Pizza Company	8/24/93
1859330	Chicago's Hot Dog	10/18/94
1897062	Deli-Lite	5/30/95