

05-04-2001



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U.S. Department of Commerce  
Patent and Trademark Office  
TRADEMARK

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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

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  
04 11 2001

Change of Name

Other RELEASE OF SECURITY INTEREST

#### Conveying Party

Mark if additional names of conveying parties attached

Name JOHANNA FOODS, INC. Execution Date  
Month Day Year  
04 11 2001

Formerly \_\_\_\_\_

Individual  General Partnership  Limited Partnership  Corporation  Association

Other \_\_\_\_\_

Citizenship/State of Incorporation/Organization NEW JERSEY

#### Receiving Party

Mark if additional names of receiving parties attached

Name FIRST UNION NATIONAL BANK

DBA/AKA/TA \_\_\_\_\_

Composed of \_\_\_\_\_

Address (line 1) 370 Scotch Road

Address (line 2) \_\_\_\_\_

Address (line 3) West Trenton New Jersey USA 08628  
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 NEW JERSEY

FOR OFFICE USE ONLY

5/03/2001 LMUELLER 00000111 350276

01 FC:481 40.00 OP  
02 FC:482 1175.00 OP

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Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

TRADEMARK  
REEL: 002286 FRAME: 0134

**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"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

<input type="text" value="350,276"/>	<input type="text" value="74/605,194"/>	<input type="text" value="1,366,086"/>
<input type="text" value="1,983,912"/>	<input type="text" value="74/357,686"/>	<input type="text" value="74/554,869"/>
<input type="text" value="76/030,790"/>	<input type="text" value="2,171,948"/>	<input type="text" value="1,044,325"/>

**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:

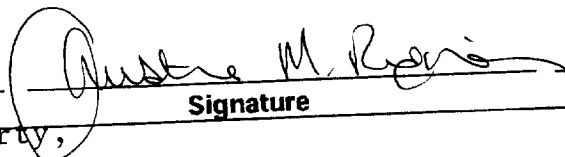
Yes

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 M. RIGNEY, ESQ.



04-20-2001

Name of Person Signing

Signature

Date Signed

Attorney for Receiving Party,  
First Union National Bank

**SCHEDULE "A" TO RECORDATION FORM COVER SHEET**  
**TRADEMARK SCHEDULE**

Additional Registrations

<u>Mark</u>	<u>Serial No.</u>	<u>Date Registered</u>
J (Stylized)	1,270,894	03/20/84
J and Design	1,640,649	04/09/91
JF SEAL OF QUALITY and Design	1,864,826	11/29/94
JF SEAL OF QUALITY and Design	976,005	01/01/74
JJUST JJUICY and Design	74/482,580	01/24/94
JOHANNA	1,175,375	10/27/81
JOHANNA FARMS	989,688	07/30/74
LA CHOCOLAT	1,368,422	10/29/85
LA YOGURT	1,524,710	02/14/89
LA YOGURT SABOR LATINO and Design	1,880,767	02/28/95
LeHi- THE FARMERS DAIRY	962,940	07/03/73
LEHIGH VALLEY (Stylized)	595,276	09/14/54
LO-LAC	1,323,530	03/05/85
Miscellaneous Design (Dino Dude)	74/578,082	09/26/94
Miscellaneous Design (Sunburst)	930,124	02/29/72
ORANGE NATURELLE	1,541,795	05/30/89
ORANGE NATURELLE	1,146,763	02/03/81
PURE MAID	1,344,906	06/25/85
RED APPLE ORCHARD	884,391	01/13/70

REDDI-SUN	1,294,801	09/11/94
RIGHT & READY	920,809	09/21/71
SABOR LATINO <LATIN FLAVOR TASTE>	2,122,240	12/16/97
SMOOTH 'N' SLIM	1,106,763	11/21/78
SSIPS	1,409,766	09/16/86
SSIPS and Design	1,273,798	04/10/84
SABOR LATINO <LATIN FLAVOR TASTE>	2,122,241	12/16/97
THE TASTE THAT FITS	74/622,941	01/12/95
TRE RIPE (Stylized)	663,875	07/01/58
TREE RIPE	1,767,588	04/27/93
TREE RIPE and Design	1,767,589	04/27/93
TREE-RIPE	1,425,045	01/13/87
TROPICOOOL	882,567	12/16/69
VITASPORT	76/041,628	05/05/00
J and Design	298,248	12/21/84
JOHANNA	288,385	03/02/84
LA YOGURT	TMA316395	07/18/86
SSIPS	331,707	09/04/87
SSIPS	333,068	10/16/87
TREE-RIPE	TMA340488	05/20/88

## RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY

Release dated as of April 11, 2001, by FIRST UNION NATIONAL BANK, as successor by merger to CORESTATES NEW JERSEY NATIONAL BANK, having offices at 370 Scotch Road, West Trenton, New Jersey 08628 ("Lender") under a certain Loan and Security Agreement dated March 31, 1995, between JOHANNA FOODS, INC., a New Jersey corporation ("Johanna Foods"), having an address at 31 South Johanna Farms Road, Flemington, New Jersey 08822-0272, and the Lender (as amended from time to time, the "Credit Agreement"), in favor of Johanna Foods.

WHEREAS, Johanna Foods is the owner of certain United States trademarks as listed on Schedule I hereto; and

WHEREAS, Johanna Foods pledged and granted to Lender as collateral for the Obligations (as defined in the Credit Agreement) under the Credit Agreement a security interest and lien in and to certain intellectual property including the trademarks listed on Schedule I, including the registrations thereof, the goodwill associated therewith and all other related claims and rights as more fully described in a certain Trademark Collateral Assignment and Security Agreement (as defined in the Credit Agreement) in favor of the Lender (the "Trademarks"); and

WHEREAS, all of the Obligations under the Credit Agreement have been satisfied;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound hereby, Lender hereby releases and remits to Johanna Foods any and all security interest and lien in and to and any and all right, title and interest in and to all intellectual property of Johanna Foods, including the aforesaid Trademarks, and gives notice of such release of security interest.

Executed as of the date first above written.

ATTEST:

FIRST UNION NATIONAL BANK

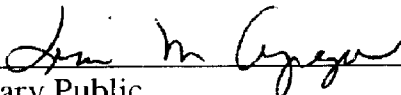
By: Adrienne Hill-Sears

Name: Adrienne Hill-Sears

Title: Vice President

COMMONWEALTH OF PENNSYLVANIA :  
: SS.  
COUNTY OF PHILADELPHIA :

Before me, the aforesaid, a Notary Public in and for the state and county aforesaid, on this 4/11, 2001, personally appeared ADRIENNE HALL - SEARS, to me known personally, and who, being first by me duly sworn, depose and say that [s]he is VILE PRESIDENT of FIRST UNION NATIONAL BANK, a Pennsylvania corporation, and that said instrument was signed on behalf of said corporation by authority of its Board of Directors, and that they acknowledged said instrument to be the free act and deed of said corporation.

  
\_\_\_\_\_  
Notary Public

My Commission Expires:

LISA M. APGAR  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires November 19, 2001

**Schedule I**

**SCHEDULE OF TRADEMARKS**

**I. United States Trademark Registrations and Applications**

<b>Mark</b>	<b>Reg./App. No.</b>	<b>Reg./Filing Date</b>	<b>Status</b>
CARDANI	350,276	09/21/37	Abandoned
CHEF'S CHOICE THE ULTIMATE NON-FAT YOGURT	74/605,194	12/1/94	Abandoned
CIDER 'N' SPICE (Stylized)	1,366,086	10/15/85	Abandoned
DEVON FARMS	1,983,912	7/02/96	Registered
DIGEST (Stylized)	74/357,686	02/10/93	Abandoned
DINO DUDE	74/554,869	7/29/94	Abandoned
ESSENTIALS	76/030,790	4/19/00	Pending
FRUIT LA MORE	2,171,948	7/07/98	Registered
J (Stylized)	1,044,325	7/20/76	Abandoned
J (Stylized)	1,270,894	3/20/84	Registered
J and Design	1,640,649	4/9/91	Cancelled
JF SEAL OF QUALITY and Design	1,864,826	11/29/94	Abandoned
JF SEAL OF QUALITY and Design	976,005	01/01/74	Abandoned
JJUST JJUICY and Design	74/482,580	01/24/94	Abandoned
JOHANNA	1,175,375	10/27/81	Registered
JOHANNA FARMS	989,688	7/30/74	Registered
LA CHOCOLAT	1,368,422	10/29/85	Abandoned
LA YOGURT	1,524,710	2/14/89	Registered
LA YOGURT SABOR LATINO and Design	1,880,767	2/28/95	Registered
LeHi - THE FARMERS DAIRY	962,940	07/03/73	Abandoned
LEHIGH VALLEY (Stylized)	595,276	09/14/54	Expired
LO-LAC	1,323,530	03/05/85	Abandoned
Miscellaneous Design (Dino Dude)	74/578,082	09/26/94	Abandoned
Miscellaneous Design (Sunburst)	930,124	02/29/72	Abandoned
ORANGE NATURELLE	1,541,795	5/30/89	Cancelled



<b>Mark</b>	<b>Reg./App. No.</b>	<b>Reg./Filing Date</b>	<b>Status</b>
ORANGE NATURELLE	1,146,763	02/03/81	Not Renewed
PURE MAID	1,344,906	06/25/85	Abandoned
RED APPLE ORCHARD	884,391	1/13/70	Abandoned
REDDI-SUN	1,294,801	9/11/84	Registered
RIGHT & READY	920,809	9/21/71	Registered
SABOR LATINO <LATIN FLAVOR TASTE>	2,122,240	12/16/97	Registered
SMOOTH 'N' SLIM	1,106,763	11/21/78	Expired
SSIPS	1,409,766	9/16/86	Registered
SSIPS and Design	1,273,798	4/10/84	Registered
SSIPS SABOR LATINO <LATIN FLAVOR TASTE>	2,122,241	12/16/97	Registered
THE TASTE THAT FITS	74/622,941	1/12/95	Abandoned
TRE RIPE (Stylized)	663,875	7/1/58	Abandoned
TREE RIPE	1,767,588	4/27/93	Registered
TREE RIPE and Design	1,767,589	4/27/93	Cancelled
TREE-RIPE	1,425,045	1/13/87	Registered
TROPICOOOL	882,567	12/16/69	Registered
VITASPORT	76/041,628	5/05/00	Pending

## II. Canadian Trademark Registrations and Applications

<u>Mark</u>	<u>Reg./App. No.</u>	<u>Reg./Filing Date</u>	<u>Status</u>
J and Design	298,248	12/21/84	Abandoned
JOHANNA	288,385	3/2/84	Abandoned
LA YOGURT	TMA316395	7/18/86	Registered
SSIPS	331,707	9/4/87	Abandoned
SSIPS	333,068	10/16/87	Abandoned
TREE-RIPE	TMA340488	5/20/88	Registered