

10-23-2001

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Form PTO-1594 (Rev. 03/01) OMB No. 0651-0027 (exp. 6/30/01)



U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

Tab settings ⇌ ⇌ ⇌

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

1. Name of conveying party(ies): 10-16-01  
**CONGRESS FINANCIAL CORPORATION (NEW ENGLAND)**

Individual(s)                       Association  
 General Partnership               Limited Partnership  
 Corporation-State Massachusetts  
 Other \_\_\_\_\_

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

2. Name and address of receiving party(ies)  
 Name: Wakefield Thermal Solutions, Inc.  
~~Wakefield Thermal Solutions, Inc.~~ (formerly known as Wakefield ~~Thermal Solutions, Inc.~~ Engineering, Inc.)

Street Address: 33 Bridge Street

City: Pelham State: NH Zip: 03076

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

3. Nature of conveyance:  
 Assignment                               Merger  
 Security Agreement                       Change of Name  
 Other Release of Security Interest

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

4. Application number(s) or registration number(s):  
 A. Trademark Application No.(s)  
 B. Trademark Registration No.(s)  
2,220,124

Additional number(s) attached  Yes  No

B. Trademark Registration No.(s)  
2,220,124

5. Name and address of party to whom correspondence concerning document should be mailed:  
 Name: Rex D. Frazier, Esq.  
 Internal Address: Suite 2800  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Street Address: Pillsbury Winthrop LLP  
725 So. Figueroa Street  
 City: Los Angeles State: CA Zip: 90017

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:  
03-3975, File No. 005550-000106

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

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.*

Rex Frazier                              Rex Frazier                              October 15, 2001  
 Name of Person Signing                              Signature                              Date

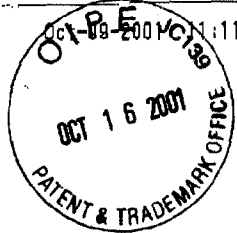
Attorney for Union Bank of California  
N.A., as Agent

Total number of pages including cover sheet, attachments, and document: 4

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patent & Trademarks, Box Assignments  
Washington, D.C. 20231

TRADEMARK REEL: 002386 FRAME: 0964

10/22/2001 L'HELLER 40.00 01 10:41



11:11am

From-PILLSBURY WINTHROP

LLP LAN2

T-369

P.003/009

F-778

RELEASE OF SECURITY INTEREST IN TRADEMARK

RELEASE OF SECURITY INTEREST IN TRADEMARK made as of October 9, 2001, by Congress Financial Corporation (New England), a Massachusetts corporation, with its principal office at One Post Office Square, Boston, Massachusetts 02109 ("Assignee")

Wakefield Thermal Solutions, Inc. (formerly known as Wakefield Engineering, Inc.), a Delaware corporation, with its principal office at 33 Bridge Street, Pelham, New Hampshire 03076 (the "Transferor"), executed a Security Agreement in favor of the Assignee (the "Security Agreement") in which the Transferor granted Assignee a security interest in and lien on a certain trademark, the application or registration for which is listed on SCHEDULE A, which is attached hereto and made a part hereof (the "Trademark"). Evidence of Assignee's interest in the Trademark was recorded in the United States Patent and Trademark Office on July 2, 1999, at Reel 1931, Frame 0272.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Assignee does hereby forever release and discharge its lien and security interest in and to all of the Trademark.

ASSIGNEE:

CONGRESS FINANCIAL CORPORATION  
(NEW ENGLAND)

By: Marc E. Swartz  
Name: MARC E. SWARTZ  
Title: SENIOR VICE PRESIDENT

10/09/01 14:27 FAX 617 856 8201

BROWN RUDNICK

005

Oct-09-2001 11:11am From=PILLSBURY WINTHROP

LLP LA#2

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## **SCHEDULE A**

### **Encumbered Trademark in the United States**

**PENGUIN COOLERS**

**Reg. No. 2,220,124**

STATE OF MA. )  
 ) ss.  
COUNTY OF SUFFOLK )

On OCTOBER 9, 2001, before me, CONSTANCE W. MICHAUD a  
Notary Public in and for the State of MASSACHUSETTS, personally  
appeared MARC E. SWARTZ, 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 or she executed  
the same in his or her authorized capacity and that, by his or her signature on the  
instrument, the person or the entity upon behalf of which he or she acted, executed the  
instrument.

WITNESS my hand and official seal.

*Constance W. Michaud*  
Notary Public in and for said State

(Notarial Seal)