

3-28-2002

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Form PTO-1594 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002)

RECORDED TR



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DEPARTMENT OF COMMERCE S. Patent and Trademark Office

Tab settings

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

1. Name of conveying party(ies): Bank of America, N.A., as successor in interest to NationsCredit Commercial Corporation

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

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

2. Name and address of receiving party(ies) Name: Hackney Brothers, Inc.

Internal Address:

Street Address: 400 Hackney Avenue

City: Washington State: NC Zip: 27889

Individual(s) citizenship

Association

General Partnership

Limited Partnership

Corporation-State NC

Other

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No

3. Nature of conveyance: Assignment Merger Security Agreement Change of Name Other Termination of Security Agreement Execution Date: 2/8/2002

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

A. Trademark Application No.(s)

74/653,511

B. Trademark Registration No.(s)

610,970; 898,626; 1,212,345; 1,274,238; 1,347,592

Additional number(s) attached Yes No

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

Name: Otterbourg, Steindler, Houston & Rosen, PC

internal Address: Attn: Mr. Preston Cappello

Street Address: 230 Park Avenue

City: New York State: NY Zip: 10169

6. Total number of applications and registrations involved: 13

Expedite Fee \$120.00

7. Total fee (37 CFR 3.41) \$340.00

\$460.00

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

(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.

Name of Person Signing

Signature

Date

03/28/2002 DBYRNE 00000194 74653511

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

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

01 FC:481 40.00 DP 02 FC:482 300.00 DP 03 FC:484 120.00 DP

TRADEMARK REEL: 002436 FRAME: 0650

4.B. Additional Trademark Registration Numbers to be released from Security Agreement dated May 23, 1996, between Hackney Brothers, Inc. and Bank of America, N.A., as successor in interest to NationsCredit Commercial Corporation

1,371,231

1,584,539

1,629,061

1,632,288

1,821,195

1,854,128

1,906,201

RELEASE OF SECURITY INTEREST  
IN TRADEMARKS AND TRADEMARK APPLICATIONS

KNOW ALL MEN BY THESE PRESENTS, that Bank of America, N.A., successor to NationsCredit Commercial Corporation (hereinafter referred to as "Secured Party"), having an office at 100 North Tampa Street, Suite 1700, Tampa, Florida 33602, DOES HEREBY CERTIFY that the security interest it holds in certain patent and patent applications of Hackney Brothers, Inc., a North Carolina corporation ("Debtor"), having a place of business at 400 Hackney Avenue, Washington, North Carolina 27889, pursuant to the Hackney Brothers Trademark Security Agreement dated as of May 23, 1996, and recorded in the United States Patent and Trademark Office on May 30, 1996, at Reel 1465, Frame 0106 (the "Trademark Security Agreement"), which trademarks and trademark applications are more fully identified on Schedule A annexed hereto and made a part hereof, together with the goodwill of the business symbolized thereby, is released and all interest in such property previously assigned to Secured Party under the Trademark Security Agreement is hereby reassigned to Debtor, without representation or warranty of any kind, nature or description.

IN WITNESS WHEREOF, Secured Party has caused this Release of Security Interest in Trademarks and Trademark Applications to be executed by its duly authorized corporate officer as of the 8th day of February 2002.

BANK OF AMERICA, N.A., successor in interest to  
NationsCredit Commercial Corporation

By: Christopher M. I.  
Name: Christopher Pennewill Jr.  
Title: Senior Vice President

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me on this 8 day of February, 2002, by Christopher Pennewill Jr. as SVP of Bank of America, N.A., on behalf of the bank. He/She is personally known to me or has produced \_\_\_\_\_ as identification.



Shari Suzanne Albritton  
Notary Public  
Printed Name of Notary  
My Commission Expires: 2/10/03

SCHEDULE 1

HACKNEY BROTHERS, INC.

Trademark Registrations

Trademark	Number	Registration Date
HACKNEY	610,970	08/23/55
HB & Design	898,626*	09/15/70
BEERTENDERS	1,212,345	10/12/82
SNO-VAN	1,274,238	04/17/84
VARI-TEMP	1,347,592	07/09/85
SNO*VAN & Design	1,371,231	11/19/85
HACKNEY VENDCART & Design	1,584,539	02/27/90
HACKNEY	1,629,061	12/25/90
Carriage Logo Design	1,632,288	01/22/91
HACKNEY	1,821,195	02/15/94
MONEYMAKER	1,854,128	09/13/94
YOUR VENDING CONNECTION	1,906,201**	07/18/95

Pending Trademark Applications

Trademark	Number	Filing Date
HACKNEY	74/653,511	03/29/95

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The Certificate of Registration for HB & Design, U.S. Reg. No. 898,626, states that Hackney Brothers is also the owner of U.S. Reg. No. 511,693. U.S. Reg. No. 511,693 and U.S. Reg. No. 898,626 are for the identical mark, namely HB & Design, recite the same description of goods and recite the same dates of first use. As of November 9, 1995, the U.S. Patent and Trademark Office's records indicated that the file for U.S. Reg. No. 511,693 had been destroyed. The company has no other records pertaining to U.S. Reg. No. 511,693.

\*\*and Service Mark