

02-25-2002



Form PTO-1594  
(Rev. 03/01)  
OMB No. 0651-0027 (exp. 5/31/2002)  
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T U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

101991735

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

1. Name of conveying party(ies):

Harris Trust and Savings Bank

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

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

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other Partial Release
- Merger
- Change of Name

Execution Date: June 23, 2000

2. Name and address of receiving party(ies)

Name: Agrilink Foods, Inc.

Internal

Address: \_\_\_\_\_

Street Address: 90 Linden Oaks

City: Rochester State: NY Zip: 14325

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

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

See attached

FEB 11 2002

Additional number(s) attached  Yes  No

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

Name: Lynn B. Wisser

Internal Address: \_\_\_\_\_

Dean Foods Company

Street Address: 3600 N. River Road

City: Franklin Park State: IL Zip: 60131

6. Total number of applications and registrations involved: \_\_\_\_\_

12

7. Total fee (37 CFR 3.41).....\$ 315.00

- 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.

Lynn B. Wisser  
Name of Person Signing

Lynn B Wisser  
Signature

January 3, 2002  
Date

Total number of pages including cover sheet, attachments, and document: 7

02/25/2002 LNUELLER 00000041 2130601

01 FC:481  
02 FC:482

40.00 OP  
275.00 OP

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

TRADEMARK  
REEL: 002448 FRAME: 0096

## ATTACHMENT

### 4.B. Trademark Registration Numbers

<u>Registration No.</u>	<u>Trademark</u>
2,130,601	BANQUET
2,122,502	DELI SPEARS
2,048,573	FARMAN'S
2,074,987	Miscellaneous Design (KING PICKLE)
2,076,830	Miscellaneous Design (KING PICKLE)
1,927,769	Miscellaneous Design (KING PICKLE)
2,008,115	MUNCHERS
2,042,766	SANDWICH SLICERS
2,095,745	SLICERS (Stylized)
2,001,035	SNACK BUDDIES
2,089,222	THE CRUNCHIER PICKLE
2,071,076	THE KING PICKLE

PARTIAL RELEASE

THIS PARTIAL RELEASE is given and made this 23<sup>rd</sup> day of June, 2000 by Harris Trust and Savings Bank, as Agent, having an office at 111 West Monroe Street, Chicago, Illinois (the "Bank") to and in favor of Agrilink Foods, Inc., having its executive offices at 90 Linden Oaks, Rochester, New York ("Agrilink Foods").

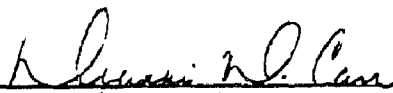
1. *Background.* Pursuant to a Credit Agreement dated as of September 23, 1998 (the "Credit Agreement") the Bank acquired a security interest in substantially all of the assets of Agrilink Foods including but not limited to the trademarks listed on Exhibit A attached to this Partial Release (the "Trademarks") and the inventory described on Exhibit B attached to this Partial Release (the "Inventory"), such security interest being evidenced by, among other things, (a) the Security Agreement by and among Agrilink Foods, Kennedy Endeavors, Incorporated, Linden Oaks Corporation and the Bank, dated as of September 23, 1998 (the "Security Agreement"), (b) the Security Agreement re: Intellectual Property by and among Agrilink Foods, Kennedy Endeavors, Incorporated, Linden Oaks Corporation and the Bank, dated as of September 23, 1998 (the "IP Security Agreement") and (c) the Trademark Collateral Agreement between Agrilink Foods and the Bank, dated as of September 23, 1998 (the "Trademark Security Agreement"). The Security Agreement, the IP Security Agreement and the Trademark Security Agreement shall hereinafter be referred to collectively as the "Security Agreements". Pursuant to, and in accordance with, the terms of the Credit Agreement, Agrilink Foods has entered into an agreement to sell certain of its assets, including the Trademarks and Inventory, which are subject to the Security Agreements.

2. *Partial Release.* In consideration of the sum of \$10.00 and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Bank, intending to be legally bound, hereby releases all of its right, title and interest in and to Trademarks, together with the goodwill symbolized by such marks, and the Inventory. The security interest of the Bank in the Trademarks and the Inventory is hereby unconditionally released.

3. *Additional Documentation.* The Bank hereby agrees to execute and deliver at the request of Agrilink Foods such additional documents, statements and certifications reasonably necessary to effectuate the Partial Release, including but not limited to UCC-3 financing statements.

IN WITNESS WHEREOF, the Bank, by and through its duly authorized representative has duly executed, and does hereby deliver, this Partial Release as of the day and year first above written.

HARRIS TRUST AND SAVINGS BANK, as Agent

By   
Title: Vice President

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF COOK )

On this 22nd day of June, 2000, before me, the subscriber, personally came Dianna D Carr to me known, who, being by me duly sworn, did depose and say that (s)he is the Vice President of Harris Trust and Savings Bank, the corporation/bank described in and which executed the above instrument.



Monica Martella  
Notary Public

**Exhibit A****Trademarks****FARMAN'S TRADEMARKS**

And other trademarks owned by Linden Oaks Corporation  
Described in Clause (h) of the definition of Intellectual Property

<u>Country</u>	<u>Registration Number</u>	<u>Mark</u>
US	2,130,601	BANQUET
US	6142-R	BANQUET (State of Washington)
US	2,122,502	DELI SPEARS
US	2,048,573	FARMAN'S
US	2,074,987	Miscellaneous Design (KING PICKLE) w/Hoe
US	2,076,830	Miscellaneous Design (KING PICKLE) w/
US	1,927,769	Miscellaneous Design (KING PICKLE)
US	2,008,115	MUNCHERS
US	2,042,766	SANDWICH SLICERS
US	2,095,745	SLICERS (Stylized)
US	2,001,035	SNACK BUDDIES
US	2,089,222	THE CRUNCHIER PICKLE
US	2,071,076	THE KING PICKLE

**EXHIBIT B**

**INVENTORY**

Finished goods inventory consisting of pickles, sauerkraut, relish, pickled peppers and other pickle and pickle related products packed during the packing year ending on or before June 30, 2000 (excluding raw materials, salt stock, packaging supplies, work in process and spare parts).



DEAN FOODS COMPANY

January 14, 2002

"Box Assignments"  
Assistant Secretary and  
Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Re: Recordation of Partial Release between Harris Trust and Savings Bank  
(the "Bank") and Agrilink Foods, Inc. ("Agrilink Foods").

Dear Sir:

Enclosed for recordation, in accordance with Rule 2.185(a) of the Trademark  
Rules of Practice and 501.01 of the Trademark Manual of Examining Procedure, is a copy  
of the Partial Release.

We request that the Partial Release submitted herewith be indexed against the  
following trademark registrations:

<u>Registration No.</u>	<u>Trademark</u>
2,130,601	BANQUET
2,122,502	DELI SPEARS
2,048,573	FARMAN'S
2,074,987	Miscellaneous Design (KING PICKLE)
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2,008,115	MUNCHERS
2,042,766	SANDWICH SLICERS
2,095,745	SLICERS (Stylized)
2,001,035	SNACK BUDDIES
2,089,222	THE CRUNCHIER PICKLE
2,071,076	THE KING PICKLE

Also enclosed is check no. 600801 in the amount of \$315.00 covering the  
recording and indexing fees. After recordation, please return the Assignment to Lynn B.  
Wisser, Dean Foods Company, 3600 North River Road, Franklin Park, Illinois 60131.

Very truly yours,

DEAN FOODS COMPANY

*Lynn B. Wisser*  
Lynn B. Wisser  
Legal Assistant

lbw  
Enclosure  
cc: R. Griffin  
B. Johnson  
D. Kleber

CORPORATE OFFICES  
DEAN FOODS COMPANY  
3600 N. RIVER ROAD  
FRANKLIN PARK, IL. 60131-2185  
(847) 678-1680

RECORDED: 02/11/2002

TRADEMARK  
REEL: 002448 FRAME: 0102