

03-05-2002



Form PTO-1594
(Rev. 03/01)
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U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

102001600

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

1. Name of conveying party(ies):

Shorty's World, Inc.
230 Route 101 West
Bedford, NH 03110

- ☐ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☒ Corporation-State NH
☐ Other _____

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

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
☒ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: November 14, 2001

2. Name and address of receiving party(ies)

Name: Citizens Bank New Hampshire

Internal

Address: _____

Street Address: 875 Elm Street

City: Manchester State: NH Zip: 03101

- ☐ Individual(s) citizenship _____
☐ Association _____
☐ General Partnership _____
☐ Limited Partnership _____
☐ Corporation-State _____
☒ Other Bank

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) 76/340,306

B. Trademark Registration No.(s) 2,459,325
2,467,285

Additional number(s) attached ☐ Yes ☒ No

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

Name: Mark A. Wright, Esq.

Internal Address: McLane, Graf, Raulerson & Middleton, P.A.

Street Address: 900 Elm Street
P.O. Box 326

City: Manchester State: NH Zip: 03101

6. Total number of applications and registrations involved: 3

7. Total fee (37 CFR 3.41) \$ 90.00

- ☒ Enclosed
☐ Authorized to be charged to deposit account

8. Deposit account number:

12/19/01

(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.

Mark A. Wright
Name of Person Signing

Signature

12/11/01
Date

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

03/04/2002 TDIAZ1 00000119 76340306

01 FC:481
02 FC:482

40.00 OP
50.00 OP

TRADEMARK
REEL: 002452 FRAME: 0962

COLLATERAL ASSIGNMENT OF MARKS

FOR GOOD AND VALUABLE CONSIDERATION, receipt and sufficiency of which are hereby acknowledged, Shorty's World, Inc., a New Hampshire corporation, with a place of business at 230 Route 101 West, Bedford, New Hampshire 03110 (the "Assignor") hereby assigns and grants to Citizens Bank New Hampshire with a place of business at 875 Elm Street, Manchester, New Hampshire 03101 (the "Lender"), a security interest in and to all of the rights, title and interest of the Guarantor in and to (i) the trademarks, service marks, trademark registrations, service mark registrations, trade names, collective marks and certification marks and trademark and service mark applications, and trade dress, including logos and/or designs, in connection with any of the foregoing as set forth on Schedule A hereto, (ii) all renewals of any of the foregoing, (iii) all income, royalties, damages and payments now or hereafter due and/or payable under any of the foregoing or with respect to any of the foregoing, including without limitation, damages or payments for past or future infringements of any of the foregoing, (iv) the right to sue for past, present and future infringements of any of the foregoing, (v) all rights corresponding to any of the foregoing throughout the world, and (vi) the goodwill of the Guarantor's business connected with and symbolized by any of the foregoing (collectively, the "Marks").

Until and unless there shall exist an Event of Default under the Security Agreement (as defined below) and the Lender has given notice to the Assignor of the Lender's intention to exercise its rights under the Security Agreement, the Lender hereby grants to the Assignor, without representation or warranty by the Lender, the exclusive, nontransferable right and license (i) to use the Marks on and in connection with goods and services sold by the Assignor, for the Assignor's own benefit and account and for none other and (ii) to collect any and all royalties under any sublicenses granted by the Assignor.

This Collateral Assignment is made pursuant to, and to further secure the satisfactory performance of all of the Secured Obligations as such term is defined in, that certain Security Agreement (Intellectual Property) dated as of April 30, 1998, and amended by amendments dated as of March 17, 2000, December 29, 2000, and November 14th, 2001, by and between the Assignor and the Lender, as the same may from time to time hereafter be amended and in effect (the "Security Agreement").

IN WITNESS WHEREOF, the Assignor has executed this instrument under seal as of November 14th, 2001.

ASSIGNOR:

SHORTY'S WORLD, INC.

By: 

Frederic A. Loeffler
Chairman and CEO

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 14th day of November, 2001, by Frederic A. Loeffler, as Chairman and CEO of Shorty's World, Inc., a New Hampshire Corporation, on behalf of the Corporation.

Jacki Window
Justice of the Peace/Notary Public
My Commission Expires: _____

JACKI WINDOW, Notary Public
My Commission Expires September 4, 2002

SCHEDULE A
to
Collateral Assignment of Marks
made by Shorty's World, Inc.
to Citizens Bank New Hampshire

Marks

<u>Mark</u>	<u>Registration or Serial Number</u>	<u>Registration or Filing Date</u>	<u>Expiration Date</u>	<u>Goods/ Services</u>	<u>Country/ State</u>
Shorty's and	2,459,325	6/12/01	6/12/11	Clothing, namely long and short sleeve t-shirts, jackets, sweatshirts, backpacks hats, in Class 25	USA
				Mexican restaurant and bar services, in Class 42	
Shorty's Mexican Roadhouse and	2,467,285	7/10/01	7/10/11	Clothing, namely long and short sleeve t-shirts, jackets, sweatshirts, backpacks hats, in Class 25	USA
				Mexican restaurant and bar services, in Class 42	
Life is Sweet	76-340,206	11/20/01		Mexican restaurant and bar services, in Class 42	USA