

04-11-2002

OMB No. 0651-0027 (exp. 5/31/2002)



102050326

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):

Horizon Snack Foods of California, Inc.
7066 Las Positas Road, Suite A
Livermore, CA 94550

4-11-02

- ☐ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☒ Corporation-State: TX
☐ 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: March 26, 2002

2. Name and address of receiving party(ies):

Name: LaSalle Business Credit, Inc

Internal
Address:

Street Address: 135 South LaSalle Street, Suite 425

City: Chicago State: IL ZIP: 60603

☐ Individual(s) citizenship☐ Association☐ General Partnership☐ Limited Partnership☒ Corporation-State IL☐ OtherIf 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)

See Schedule A to Trademark Assignment of Security

B. Trademark Registration No.(s)

Additional numbers attached ☐ Yes ☐ No

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

Name:

RETURN TO:
FEDERAL RESEARCH CORP
400 SEVENTH STREET NW
SUITE 101
WASHINGTON DC 200046. 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:

(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.

Derek Lively

Name of Person Signing

Signature

April 5, 2002

Date

Total number of pages including coversheet, attachments and document: 1

04/12/2002 6TON11 00000014 2137455

Mail documents to be recorded with required coversheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, DC 2023101 FC:481
02 FC:48240.00 OP
50.00 OP13570/13
04/05/2002 1194733.01TRADEMARK
REEL: 002480 FRAME: 0418

SCHEDULE A

Schedule A to a Trademark Assignment of Security dated March 26, 2002, by and between Horizon Snack Foods of California, Inc. and LaSalle Business Credit, Inc., as Agent.

<u>REGISTRATION OR APPLICATION NO.</u>	<u>COUNTRY</u>	<u>REGISTRATION OR FILING DATE</u>	<u>MARK</u>
2,137,455	USA	2/17/1998	Fruit Stand
2,165,928	USA	6/16/1998	Home Run Pie
2,115,572	USA	11/25/1997	Home Run Snacks

TRADEMARK ASSIGNMENT OF SECURITY

WHEREAS, HORIZON SNACK FOODS OF CALIFORNIA, INC. a corporation formed under the laws of Texas, located at 7066 Las Positas Road, Suite A, Livermore, California 94550 ("Grantor"), has adopted, used and is using the marks shown in the attached Schedule A (the "Marks"), for which there are registrations or applications in the United States Patent and Trademark Office under the numbers shown in the attached Schedule A; and

WHEREAS, Grantor and various other credit parties (collectively, "Borrowers") are obligated to LaSalle Business Credit, Inc. ("LaSalle") and various other financial institutions (collectively, "Lenders") and LaSalle as agent for Lenders ("Agent") pursuant to (i) a certain Loan and Security Agreement, dated the date hereof, among Agent, Lenders and Borrowers and (ii) a certain Trademark Collateral Security Agreement, dated the date hereof, made by Grantor in favor of Agent (as each may be amended, modified, restated or supplemented from time to time, collectively, the "Agreements"); and

WHEREAS, pursuant to the Agreements, Grantor is granting to Agent for its benefit and for the ratable benefit of Lenders a security interest in the Marks, the goodwill of the business symbolized by the Marks, and the registrations and applications therefor.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Grantor does hereby assign unto Agent for its benefit and for the ratable benefit of Lenders and grant to Agent for its benefit and for the ratable benefit of Lenders a security interest in and to the Marks, together with the goodwill of the business symbolized by the Marks, and registrations and applications therefor, which assignment and security interest shall secure all the Obligations as defined in the Agreements and in accordance with the terms and provisions thereof.

Grantor expressly acknowledges and affirms that the rights and remedies of Agent and Lenders with respect to the assignment and security interest granted hereby are more fully set forth in the Agreements.

Dated: New York, New York
March 26, 2002

Witness:

Martha C. Parriott

HORIZON SNACK FOODS OF
CALIFORNIA, INC.

By: Lee M. Rucker

Name: Lee M. Rucker

Title: Chief Administrative Officer

Witness:

LASALLE BUSINESS CREDIT, INC, as
Agent

By: _____

Name:

Title:

TRADEMARK ASSIGNMENT OF SECURITY

WHEREAS, HORIZON SNACK FOODS OF CALIFORNIA, INC. a corporation formed under the laws of Texas, located at 7066 Las Positas Road, Suite A, Livermore, California 94550 ("Grantor"), has adopted, used and is using the marks shown in the attached Schedule A (the "Marks"), for which there are registrations or applications in the United States Patent and Trademark Office under the numbers shown in the attached Schedule A; and

WHEREAS, Grantor and various other credit parties (collectively, "Borrowers") are obligated to LaSalle Business Credit, Inc. ("LaSalle") and various other financial institutions (collectively, "Lenders") and LaSalle as agent for Lenders ("Agent") pursuant to (i) a certain Loan and Security Agreement, dated the date hereof, among Agent, Lenders and Borrowers and (ii) a certain Trademark Collateral Security Agreement, dated the date hereof, made by Grantor in favor of Agent (as each may be amended, modified, restated or supplemented from time to time, collectively, the "Agreements"); and

WHEREAS, pursuant to the Agreements, Grantor is granting to Agent for its benefit and for the ratable benefit of Lenders a security interest in the Marks, the goodwill of the business symbolized by the Marks, and the registrations and applications therefor.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Grantor does hereby assign unto Agent for its benefit and for the ratable benefit of Lenders and grant to Agent for its benefit and for the ratable benefit of Lenders a security interest in and to the Marks, together with the goodwill of the business symbolized by the Marks, and registrations and applications therefor, which assignment and security interest shall secure all the Obligations as defined in the Agreements and in accordance with the terms and provisions thereof.

Grantor expressly acknowledges and affirms that the rights and remedies of Agent and Lenders with respect to the assignment and security interest granted hereby are more fully set forth in the Agreements.

Dated: New York, New York
March 26, 2002

Witness:

HORIZON SNACK FOODS OF
CALIFORNIA, INC.

By: _____
Name: _____
Title: _____

Witness:

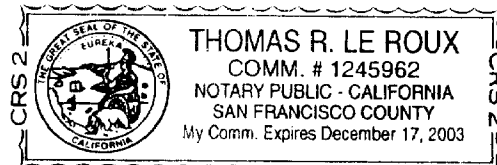
LASALLE BUSINESS CREDIT, INC, as
Agent

By: Anthony J. Veith
Name: Anthony J. Veith
Title: Senior Vice President

STATE OF CALIFORNIA)
 : SS.:
COUNTY OF SAN FRANCISCO)

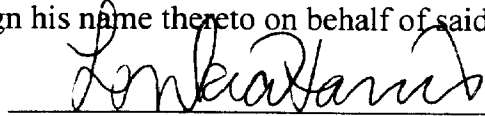
On this 28~~th~~ day of March, 2002, before me personally came Lee M. Rucker, to me known, who, being by me duly sworn, did depose and say that he is the Chief Administrative Officer of Horizon Snack Foods of California, Inc., the corporation described in and which executed the foregoing instrument; and that he signed his name thereto by order of the board of directors of said corporation.


Notary Public



STATE OF NEW YORK)
 : SS.:
COUNTY OF NEW YORK)

On this 5 day of ^{April}~~March~~, 2002, before me personally came Anthony J. Venturi, to me known, who, being by me duly sworn, did depose and say that he is the Senior Vice President of LaSalle Business Credit, Inc., the company described in and which executed the foregoing instrument; and that he was authorized to sign his name thereto on behalf of said company.


Notary Public

LOUKIA HARRIS
Notary Public, State of New York
No. 01HA4995575
Qualified in Nassau County
Commission Expires April 27, 2002