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



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

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

1. Name of conveying party(ies): BACK BAY CAPITAL FUNDING, LLC 4-5-02 1-16-02
Individual(s) Association General Partnership Limited Partnership Corporation-State Other DELAWARE LIMITED LIABILITY COMPANY
Additional name(s) of conveying party(ies) attached? Yes No

2. Name and address of receiving party(ies) Name: HARRY'S FARMERS MARKET INC Internal Address: Street Address: 1180 UPPER HEMLOCK ROAD City: ROSWELL State: GA Zip: 30076
Individual(s) citizenship Association General Partnership Limited Partnership Corporation-State GEORGIA 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 STATEMENT OF RELEASE OF TRADEMARK, Execution Date: 10-31-01

4. Application number(s) or registration number(s): A. Trademark Application No.(s) 75-299282 B. Trademark Registration No.(s) SEE ATTACHED
Additional number(s) attached Yes No

5. Name and address of party to whom correspondence concerning document should be mailed: Name: TONYA CHAPPLE Internal Address: C/O CSC Street Address: 80 STATE STREET City: ALBANY State: NY Zip: 12207

6. Total number of applications and registrations involved: 14
7. Total fee (37 CFR 3.41) \$ 365.00 Enclosed Authorized to be charged to deposit account

8. Deposit account number: 01-16-2002 U.S. Patent & TMO/TM Mail Ropt. Dt. #40 (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. TONAY CHAPPLE Signature Date 1-14-02

01/28/2002 DBYRNE 0000039 75299282 40.00 325.00

Total number of pages including cover sheet, attachments, and document: 8

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

TRADEMARK REEL: 002481 FRAME: 0160

Received 01/07/2002 03:06PM in 03:16 on line [11] for 40ALSTON * Pg 11/12
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EXHIBIT A

Borrower's now owned or existing or hereafter acquired or arising registered service marks and Federal service mark applications, registered trademarks, and Federal trade mark applications:

Trademark/Service Mark Registrations

<u>TRADEMARK</u>	<u>REGISTRATION NUMBER</u>	<u>REGISTRATION DATE</u>
Bear Dance & Design	1943178	12/19/95
Coral River Orchard	2167718	06/23/98
Grainger County (Stylized)	1883811	03/14/95
Harry's (Stylized)	1929015	10/24/96
Harry's Farmers Market (Stylized)	1854765	09/20/94
Harry's Old Fashioned Layer Cakes and Design	1883775	03/14/95
Harry's In A Hurry & Design	1850126	08/16/94
Harry's In a Hurry	2203705	11/17/98
Marthasville Creamery and Design	1871455	01/03/95
Marthasville Farm Fresh and Good & Design	2184131	08/25/98
Spill-Da-Beans	2185954	06/16/98
The Pie to Die For	2180891	08/11/98
Harry's in a Hurry	530.550 (CTM)	10/23/99
Chipitos	T-12,443 (GA)	02/05/93
Chipitos and Design	T-12,444 (GA)	02/05/93
Chipitos Jalapeno Tortilla Chips	T-12,439 (GA)	02/05/93
Chipitos Nacho Cheese Tortilla Chips	T-12,438 (GA)	02/05/93
Chipitos Restaurant Style White Tortilla Chips	T-12,441 (GA)	02/05/93
Chipitos Restaurant Style White Tortilla Chips and Design	T-12,442 (GA)	02/05/93
Chipitos Tortilla Chips	T-12,440 (GA)	02/05/93
Grainger County Home Grown Tomatoes	T-12,162 (GA)	10/09/92
Harry's Farmers Market	T-9603 (GA)	10/06/89
Harry's Farmers Market and Design	T-9602 (GA)	10/06/89
Harry's Farmers Market	S-9819 (GA)	01/12/90
Harry's Farmers Market and Design	S-9820 (GA)	01/12/90
Hungry In A Hurry Meals	T-10,945 (GA)	07/11/91
Hungry In A Hurry Meals	S-10,946 (GA)	07/11/91
Lion Forest Supermarket	S-15,415 (GA)	02/02/95

*See Serial
Pgs 1-10
1 pending
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TRADEMARK
REEL: 002016 FRAME: 0111TRADEMARK
REEL: 002481 FRAME: 0161

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Trademark Applications

MARK

SERIAL NUMBER

FILING DATE

Harry's Farmers Market

75-299282

05/28/97

5328142

ALL INFORMATION CONTAINED

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RECORDED: 01/11/2000

TRADEMARK
REEL: 002016 FRAME: 0112

TRADEMARK
REEL: 002481 FRAME: 0162

STATEMENT OF RELEASE
OF
TRADEMARK
AND
TRADEMARK APPLICATIONS SECURITY AGREEMENT

This Statement of Release of Trademark and Trademark Applications Security Agreement is dated as of October 21, 2001 and is prepared and is intended to comply with the formal requisites as set forth in the Uniform Commercial Code and the United States Patent and Trademark Office.

1. This Statement of Release refers to the Trademark and Trademark Applications Security Agreement (the "Trademark Security Agreement") between Harry's Farmers Market, Inc. (the "Borrower"), a Georgia corporation and Back Bay Capital Funding, LLC, (the "Lender"), a Delaware limited liability company with an address of 40 Broad Street, Boston, Massachusetts 02109, which Trademark Security Agreement is dated December 21, 1999 and recorded with the United States Patent and Trademark Office on January 11, 2000 at Reel 2016, Frame 102.

2. The Lender hereby releases and discharges the Trademark Security Agreement and its security interest in the collateral described therein.

3. Presented for filing to the U.S. Patent and Trademark Office.

IN WITNESS WHEREOF, the Lender has caused this Statement of Release to be executed by an officer duly authorized so to do on the date first above written.

Back Bay Capital Funding, LLC

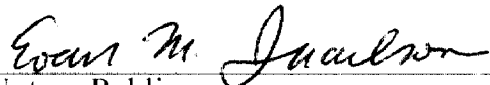
By 
MICHAEL L. PIZETTE
Title Managing Director
Date 10/24/01

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss

10/24, 2001

Then personally appeared the above named Michael L Pizette, the Managing Director of Back Bay Capital Funding, LLC, and acknowledged the foregoing to be the free act and deed of Back Bay Capital Funding, LLC, before me,


Notary Public
My Commission Expires: 10/15/2004

672194.1



TRADEMARK
REEL: 002481 FRAME: 0163



04-05-2002

U.S. Patent & TMO/fo/TM Mail Rpt. Dt. #40

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MARCH 20, 2002

PTAS

Chief Information Officer
Washington, DC 20231
www.uspto.gov

TONYA CHAPPLE
C/O CSC
80 STATE STREET
ALBANY, NY 12207



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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF NON-RECORDATION OF DOCUMENT

DOCUMENT ID NO.: 101962874

THE ENCLOSED DOCUMENT HAS BEEN EXAMINED AND FOUND NON-RECORDABLE BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. THE REASON(S) FOR NON-RECORDATION ARE STATED BELOW. DOCUMENTS BEING RESUBMITTED FOR RECORDATION MUST BE ACCOMPANIED BY A NEW COVER SHEET REFLECTING THE CORRECT INFORMATION TO BE RECORDED AND THE DOCUMENT ID NUMBER REFERENCED ABOVE.

THE ORIGINAL DATE OF FILING OF THIS ASSIGNMENT DOCUMENT WILL BE MAINTAINED IF RESUBMITTED WITH THE APPROPRIATE CORRECTION(S) WITHIN 30 DAYS FROM THE DATE OF THIS NOTICE AS OUTLINED UNDER 37 CFR 3.51. THE RESUBMITTED DOCUMENT MUST INCLUDE A STAMP WITH THE OFFICIAL DATE OF RECEIPT UNDER 37 CFR 3. APPLICANTS MAY USE THE CERTIFIED PROCEDURES UNDER 37 CFR 1.8 OR 1.10 FOR RESUBMISSION OF THE RETURNED PAPERS, IF THEY DESIRE TO HAVE THE BENEFIT OF THE DATE OF DEPOSIT IN THE UNITED STATES POSTAL SERVICE.

SEND DOCUMENTS TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231. IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, YOU MAY CONTACT THE INDIVIDUAL WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.

- 1. DOCUMENT SUBMITTED IS NOT LEGIBLE FOR RECORDING PURPOSES.

STEVEN POST, EXAMINER
ASSIGNMENT DIVISION
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