

08-15-2002

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



102190736

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

Resubmit

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

1. Name of conveying party(ies): 8-15-02 Bank of America, N.A. (f/k/a NationsBank, N.A.) 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: B.F. Ascher & Company, Inc. Internal Address: Street Address: 15501 West 109th Street City: Lenexa State: KS Zip: 66219 Individual(s) citizenship Association General Partnership Limited Partnership Corporation-State Kansas 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 Release-Doc. ID No. Execution Date: 04/02/2002 102096303

4. Application number(s) or registration number(s): A. Trademark Application No.(s) B. Trademark Registration No.(s) See attached Schedule A-1 and Schedule A-2. Additional number(s) attached Yes No

5. Name and address of party to whom correspondence concerning document should be mailed: Name: Donald A. Choc Internal Address: Commercial Loan Service Center M01-800-07-05 800 Market Street Street Address: P.O. Box 236 City: St. Louis State: MO Zip: 63101

6. Total number of applications and registrations involved: 9 7. Total fee (37 CFR 3.41): \$ 240.00 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. Jacqueline Borchstee AYP Signature AYP Date 8-14-02

Total number of pages including cover sheet, attachments, and document: 4

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

08/15/2002 TDIAZ1 00000108 891499 01 FC:481 40.00 OP 02 FC:482 200.00 OP

SCHEDULE A-1

Trademarks and Trademark Registrations (United States)

<u>Trademark or Service Mark</u>	<u>Registrations -- United States Patent and Trademark Office/Registration No. Registration Date</u>
Ornex	891,499/May 26, 1970
Benzedrex	896,775/August 18, 1970
Benzedrex	915,607/June 29, 1971
A.R.M.	995,558/October 15, 1974
Hold	1,039,993/May 25, 1976
Hold	1,089,022/April 11, 1978
Congestac	1,327,966/April 2, 1985

SCHEDULE A-2

Trademarks and Trademark Registrations (Foreign)

<u>Trademark or Service Mark</u>	<u>Country of Registration</u>	<u>Registration No./ Registration Date</u>
Benzedrex	Canada	UCA 019129/September 13, 1944
Congestac	Canada	TMA 310387/January 10, 1986



05-20-2002

D

April 3, 2002



102096303



Bank of America  
Commercial Loan Service Center  
MO1-910-01-04  
910 North 11th Street  
PO Box 236  
St. Louis, MO 63101

General Information Services Division  
U.S. Patent and Trademark Office  
Attn: Release of Pledged Trademarks  
Crystal Plaza 3, Room 2C02  
Washington, DC 20231

4-8-02 Assignments

Dear Sir or Madam:

891,499

Enclosed herewith, please find an executed Trademark Release. Kindly record this document and return the recorded item to my attention in the enclosed envelope.

Thank you for your attention to this matter. If you have any questions, please contact me at (314) 466-2318.

Sincerely,

Donald A. Choc  
Bank of America

Enclosures

**RELEASE**

THIS RELEASE (the "Release") is made and entered into this 2<sup>nd</sup> day of April, 2002, by BANK OF AMERICA, N.A. (f/k/a NationsBank, N.A.) (the "Bank") in favor of B.F. ASCHER & COMPANY, INC. (the "Assignor").

**RECITALS**

A. Bank and Assignor are parties to a Trademark Collateral Security and Pledge Agreement dated November 23, 1998 (the "Agreement") pursuant to which Assignor granted to Bank a security interest in the Pledged Trademarks (as defined in the Agreement) identified on Schedules A-1 and A-2 attached hereto.

B. Bank now desires to release its security interest in the Pledged Trademarks.

NOW, THEREFORE, Bank hereby releases its security interest in the Pledged Trademarks.

IN WITNESS WHEREOF, this Release has been executed as of the date and year first above written.

BANK OF AMERICA, N.A.  
(f/k/a NationsBank, N.A.)

By: *Jacqueline L. Beardslee*  
Name (print): Jacqueline L. Beardslee  
Title: AVP

**CERTIFICATE OF ACKNOWLEDGEMENT**

STATE OF MISSOURI            )  
                  St. Louis        )        ss.  
COUNTY OF ~~JACKSON~~        )

Before me, the undersigned, a Notary Public in and for the county and state aforesaid, on this 2<sup>nd</sup> day of April, 2002, personally appeared Jacqueline L. Beardslee, to me known personally, and who, being by me duly sworn, deposes and says that he/she is the Assistant Vice President of Bank of America, N.A. (f/k/a NationsBank, N.A.), and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and said Assistant Vice President acknowledged said instrument to be the free act and deed of said corporation.

*Pamela L. Morrison*  
Notary Public

My Commission Expires:  
11-20-2004