

# TRADEMARK RECORDATION COVER SHEET

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01-14-2003



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Please record the attached original documents or copy thereof.

<p>1. Name of conveying party(ies): <b>PNC Bank, National Association</b></p> <p><input type="checkbox"/> Individual(s) <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Corporation-State <input checked="" type="checkbox"/> Other <b>National Association</b></p> <p>Additional name(s) conveying party(ies) attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>3. Nature of conveyance: <input type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input checked="" type="checkbox"/> Other <b>Release of Security Agreement</b></p> <p>Execution Date: <b>November 12, 2002</b></p>	<p>2. Name and address of receiving party(ies):</p> <p>Name: <b>Weed Wizard Acquisition Corp.</b> Street Address: <b>655 Montgomery Street</b></p> <p>City <b>San Francisco</b> State <b>CA</b> Zip <b>94111</b></p> <p><input type="checkbox"/> Individual(s) <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation-State <b>Delaware</b> <input type="checkbox"/> Other</p> <p>If assignee is not domiciled in the United States, A domestic representative designation is attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>(Designation must be a separate document from Assignment)</p> <p>Additional name(s) and address(es) attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>		
<p>4. Application number(s) or registration number(s) 1</p> <table border="0"> <tr> <td data-bbox="100 1207 803 1470"> <p>A. Trademark Application No(s): <b>Please see attached Schedule A.</b></p> </td> <td data-bbox="803 1207 1542 1470"> <p>B. Trademark Registration No(s): <b>Please see attached Schedule A.</b></p> </td> </tr> </table>		<p>A. Trademark Application No(s): <b>Please see attached Schedule A.</b></p>	<p>B. Trademark Registration No(s): <b>Please see attached Schedule A.</b></p>
<p>A. Trademark Application No(s): <b>Please see attached Schedule A.</b></p>	<p>B. Trademark Registration No(s): <b>Please see attached Schedule A.</b></p>		
<p>5. Name and address of party to whom correspondence concerning documents should be mailed:</p> <p>Name: <b>Marshall C. Stoddard, Esq.</b> Street Address: <b>Mayer, Brown, Rowe &amp; Maw</b> <b>350 South Grand Avenue, 25<sup>th</sup> Floor</b> City: <b>Los Angeles</b> State: <b>CA</b> Zip: <b>90071</b></p>	<p>6. Total number of applications and registrations involved: <b>1</b></p> <p>7. Total fee (37 CFR 3.41) <b>\$40.00</b></p> <p><input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account</p> <p>8. Deposit account number: _____</p> <p>(Attach duplicate copy of this page if paying by deposit account)</p>		

<p>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.</p>		
<p><b>Terry Luu</b> Name of Person Signing</p>	<p><i>[Signature]</i> Signature</p>	<p><b>December 20, 2002</b> Date</p>

# SCHEDULE A

#	Mark	Registration No.	Registration Date	Serial No.	Filing Date
1.	Flexitrim	2479878	8/21/01		

# RELEASE OF TRADEMARK SECURITY INTEREST

This Release of Trademark Security Interest (the "Release") granted on this 13 day of November, 2002, is made by the PNC Bank, National Association ("PNC") to Weed Wizard Acquisition Corp., a Delaware corporation ("Grantor"), is as follows:

## W I T N E S S E T H:

**WHEREAS**, the Grantor has heretofore granted to PNC, a security interest in certain trademarks, trademark registrations, trademark applications, trade names and services marks and trademark licenses (the "Marks") more particularly set forth on Schedule A attached hereto, all given to secure the obligations of the Grantor as defined in the Trademark Security Agreement between the parties dated February 14, 2002 (the "Trademark Security Agreement"), a copy of which was recorded in the United States Patent and Trademark Office on March 13, 2002, at Reel 002480, Frame 0234; and

**WHEREAS**, PNC wishes to release and restore all right, title and interest in and to the Marks to the Grantor and to dissolve any and all Liens and encumbrances respecting the Marks shown on the attached Schedule A hereto.

**NOW, THEREFORE**, for good and valuable consideration, receipt of which is hereby acknowledged, PNC hereby releases, discharges, quitclaims and relinquishes unto the Grantor any and all right, title and interest in and to the Mark, and more particularly the security interest in the trademarks, trademark registrations, trademark applications, trade names and services marks and trademark licenses set forth on the Schedule A attached hereto, all granted to PNC by the Grantor by the Trademark Security Agreement.

IN WITNESS WHEREOF, the undersigned, by and through its authorized officer, has caused this instrument to be executed under seal on the date first written above.

Dated: November 13, 2002

PNC BANK, NATIONAL ASSOCIATION

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

  
LAWRENCE WEINSTEIN  
VICE PRESIDENT

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

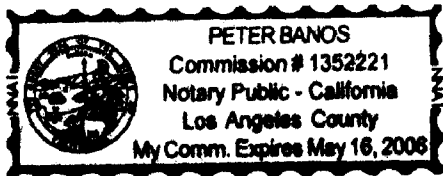
STATE OF CALIFORNIA )

COUNTY OF LOS ANGELES )

) SS.

On November 13, 2002, before me, PETER BANOS - Notary Public,  
Date Name and Title of Officer (e.g. "Jane Doe, Notary Public")  
 personally appeared LAWRENCE WEINSTEIN,  
Name of Signer(s)

" personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.  
 WITNESS my hand and official seal.



Peter Banos  
 Signature of Notary Public

## OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

### CAPACITY(IES) CLAIMED BY SIGNER(S)

" Individual  
 " Corporate Officer V.P.  
Title(s)  
 " Partner(s) " Limited  
 " " General  
 " Attorney-In-Fact  
 " Trustee(s)  
 " Guardian/Conservator  
 " Other: \_\_\_\_\_

Signer is Representing:  
 Name of Person(s) or Entity(ies)

PNC BANK, NATIONAL ASSOCIATION

### DESCRIPTION OF ATTACHED DOCUMENT

Trademark Release

Title or Type of Document

Number of Pages

Date of Document

Signer(s) Other Than Named Above