

RE

03-19-2003

2 SHEET

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

.Y

3/19/03

Tab settings =&gt;=&gt;=&gt;



To the Honorable Commissioner of

102394506

attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Iberia Foods Corp.  
7850 N.W. 80<sup>th</sup> Street  
Medley, Florida 33186

- ☐ Individual(s) ☐ Association  
☐ General Partnership ☐ Limited Partnership  
☒ Corporation-State: Delaware  
☐ Other \_\_\_\_\_

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

## 3. Nature of conveyances:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: December 31, 2002

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

Name: Citizens Business Credit Company

Internal Address: \_\_\_\_\_

Street Address: 350 Fifth AvenueCity: New York State: NY ZIP: 10118

- ☐ Individual(s) citizenship \_\_\_\_\_  
☐ Association \_\_\_\_\_  
☐ General Partnership \_\_\_\_\_  
☐ Limited Partnership \_\_\_\_\_  
☒ Corporation-State Rhode Island  
☐ 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

## 4. Application Number(s) or registration number(s):

## A. Trademark Application.(s)

SEE ATTACHED SCHEDULE A

## B. Trademark registration No.(s)

SEE ATTACHED SCHEDULE A

Additional numbers attached? ☒ Yes ☐ No

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

Name: Federal Research Corporation

Internal Address: \_\_\_\_\_

Street Add

Federal Research Company, LLC  
1030 15th Street, NW, Suite 920  
Washington, DC 20005City: Was

## 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: \_\_\_\_\_

(Attach duplicate copy of this page if paying by deposit account)

03/20/2003 610N11 00000026 1043055

DO NOT USE THIS SPACE

01 FC:0521

40.00 OP

02 FC:0522

50.00 OP

## 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*Daren J. Stamp

Name of Person Signing

Daren J. Stamp

Signature

March 14, 2003

Date

Total number of pages including coversheet, attachments and document: \_\_\_\_\_

6

Mail documents to be recorded with required coversheet information to:  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231TRADEMARK  
REEL: 002694 FRAME: 0111

SCHEDULE A

Schedule A to Trademark Assignment of Security dated December 31, 2002, by and between Iberia Foods Corp. and Citizens Business Credit Company, as Administrative Agent.

<u>REGISTRATION NO. OR APPLICATION NO.</u>	<u>REGISTRATION OR FILING DATE</u>	<u>MARK</u>
1,043,055	12/10/74	Iberia
0954152	2/27/93	Iberia and Logo
76438938	8/5/02	Iberia and Logo

## **TRADEMARK ASSIGNMENT OF SECURITY**

WHEREAS, Iberia Foods Corp., a corporation formed under the laws of Delaware, located at 7850 N.W. 80<sup>th</sup> Street, Medley, Florida 33186 ("Iberia"), 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, Iberia is obligated to Citizens Business Credit Company, a division of Citizens Leasing, Inc. ("CBCC"), JPMorgan Chase Bank, as documentation agent ("Documentation Agent"), and CBCC as administrative agent for Lenders (in such capacity, "Administrative Agent") pursuant to (i) a certain Loan and Security Agreement (the "Loan Agreement"), dated the date hereof, among Administrative Agent, Documentation Agent, Lenders, Iberia and the other Loan Parties (as such term is defined in the Loan Agreement) and (ii) a certain Trademark Collateral Security Agreement, dated the date hereof, made by Iberia in favor of Administrative Agent (as each may be amended, modified, restated or supplemented from time to time, collectively, the "Agreements"); and

WHEREAS, pursuant to the Agreements, Iberia is granting to Administrative 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.

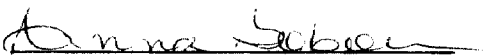
NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Iberia does hereby assign unto Administrative Agent for its benefit and for the ratable benefit of Lenders and grant to Administrative Agent for its benefit and for the ratable benefit of Lenders a security 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.


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

Dated: December 31, 2002  
New York, New York

Witness:

IBERIA FOODS CORP.



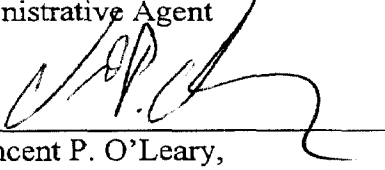
By:   
Eric Miller,  
President, CEO and Treasurer

Witness:

  
\_\_\_\_\_

CITIZENS BUSINESS CREDIT COMPANY,  
a division of Citizens Leasing, Inc.,  
as Administrative Agent

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

  
Vincent P. O'Leary,  
Senior Vice President

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

On this 27<sup>th</sup> day of December, 2002, before me personally came Eric Miller, to me known, who, being by me duly sworn, did depose and say that he is the President, Chief Executive Officer and Treasurer of Iberia Foods Corp., 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

EVA M. VIDALLON  
Notary Public, State of New York  
No. 01V16075098  
Qualified in Nassau County  
Commission Expires June 3, 2004

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

On this \_\_\_\_\_ day of December, 2002, before me personally came Vincent P. O'Leary, to me known, who, being by me duly sworn, did depose and say that he is a Senior Vice President of Citizens Business Credit Company, the company described in and which executed the foregoing instrument; and that he was authorized to sign her/his name thereto on behalf of said company.

\_\_\_\_\_  
Notary Public

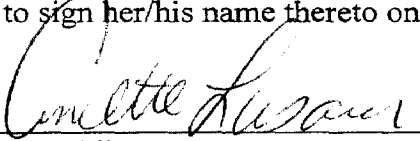
STATE OF NEW YORK     )  
                                      : ss.:  
COUNTY OF NEW YORK    )

On this \_\_\_\_ day of December, 2002, before me personally came Eric Miller, to me known, who, being by me duly sworn, did depose and say that he is the President, Chief Executive Officer and Treasurer of Iberia Foods Corp., 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 31<sup>st</sup> day of December, 2002, before me personally came Vincent P. O'Leary, to me known, who, being by me duly sworn, did depose and say that he is a Senior Vice President of Citizens Business Credit Company, the company described in and which executed the foregoing instrument; and that he was authorized to sign her/his name thereto on behalf of said company.

  
\_\_\_\_\_  
Notary Public

ANNETTE LUSARDI  
Notary Public, State of New York  
No. 01LU5077646  
Qualified in Suffolk County 2003  
Commission Expires May 12, 2003