

07-31-2003

(Rev. 6-93)  
OMB No. 0651-0011 (exp. 4/94)

Patent and Trademark Office



102512971

To the Honorable Commissioner of Patents and

documents or copy thereof.

1. Name of conveying party(ies): **7-29-05**  
**Wachovia Bank, N.A., successor by merger to First Union National Bank of North Carolina**

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

2. Name and address of receiving party(ies)  
 Name: **NB Acquisition Corp., Inc.**  
 Street Address: **16047 West 110<sup>th</sup> Street  
 Lenexa, KS 66219**

Additional name(s) & address(es) attached?  Yes  No

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  
 Additional name(s) & address(es) attached?  yes  no

3. Nature of conveyance:  
 Assignment  Merger  
 Security Agreement  Change of Name  
 Other: release of Security Interest

Execution Date: June 16, 2003

4. Application number(s) or registration number(s):  
 If this document is being filed together with a new application, the execution date of the application is:  
 A. Trademark application No.(s) \_\_\_\_\_ B. Trademark Registration No.(s) **1,299,504; 1,967,852; 1,969,401**

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:  
 Louis T. Isaf  
 WOMBLE CARLYLE SANDRIGE & RICE, PLLC  
 P.O. Box 7037  
 Atlanta, Georgia 30357-0037  
 (404) 962-7523  
 (404) 870-8173 (fax)

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 01 FC:8521 40.00 DP  
 02 FC:8522 50.00 DP

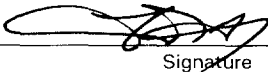
6. Total number of applications/trademarks involved:  3

7. Total fee (37 CFR 3.41) \$90.00  
 Enclosed  
 Authorized to be charged to deposit account

8. Deposit Account Number:  
 09-0528  
 (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.*

LOUIS T. ISAF  21 July 2003  
 Name of Person Signing Signature Date

Docket No. P004.3005 (40726.0004.1) Total number of pages including cover sheet, attachments, and document:  4

Mail documents to be recorded with required cover sheet information to:  
 Mail Stop Assignment Recordation Services, Director of the U.S. Patents & Trademark Office  
 P.O. Box 1450, Alexandria, VA 22313-1450

**RELEASE OF SECURITY INTEREST IN  
UNITED STATES TRADEMARKS**

This Release of Security Interest ("Release"), dated the 16, day of June, 2003, is entered into by and between Wachovia Bank, N.A., successor by merger to First Union National Bank of North Carolina ("Wachovia"), having its principal place of business at 301 South College Street, Charlotte, North Carolina 28288 and NB Acquisition Corp., Inc., with a principal place of business at 16047 West 110<sup>th</sup> Street, Lenexa, KS 66219.

WHEREAS, Wachovia, by and through its predecessor in title, First Union National Bank of North Carolina, from time to time entered into Assignments of Security Interest with NB Acquisition Corp., including, without limitation, the following:

Assignment of Security Interest effective as of February 28, 1997 and recorded with the Assignments branch of the United States Patent and Trademark Office on March 14, 1997, at Reel 1566, Frame 940 (the "Security Interest"); and

WHEREAS, NB Acquisition Corp. has satisfied all obligations relating to the Security Agreement referenced in the Security Interest; and

WHEREAS, the parties desire to confirm the release of the Security Interest.

NOW THEREFORE, in consideration of the foregoing recitals (which are incorporated into and made a part of this Release), the covenants set forth below and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. Release of Security Interest. Wachovia hereby releases, terminates and extinguishes the Security Interest in and to the trademarks and trademark registrations set forth in Exhibit A hereto (the "Trademarks"), as originally recorded and any and all other security interests or claims relating to NB Acquisition Corp.

2. Further Assurances. Wachovia agrees to take such further reasonable action as may be requested by NB Acquisition Corp. to confirm the release of the Security Interest and to acknowledge NB Acquisition Corp.'s ownership of all right, title and interest in and to the Trademarks free and clear of all rights, interests and claims of any kind of Wachovia.

IN WITNESS WHEREOF, the undersigned have executed this Release as of the 16, day of June, 2003

WACHOVIA BANK, N.A.

By: [Signature]  
Name: JORGE A. GONZALEZ  
Title: Managing Director

NB ACQUISITION CORP.

By: [Signature]  
Name: Charles F. Williams  
Title: Secretary

STATE OF North Carolina

COUNTY OF Mecklenburg

The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of June, 2003, by George A. Gonzalez, as Managing Director of WACHOVIA BANK, N.A., a North Carolina corporation, on behalf of WACHOVIA BANK, N.A.

[Signature]  
Notary Public

[Notary Seal]

My Commission Expires: October 22, 2005

STATE OF Kansas

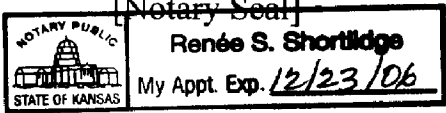
COUNTY OF Johnson

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of June 2003, by Charles F. Williams, as Secretary of NB Acquisition Corp., a Kansas corporation, on behalf of NB Acquisition Corp.

[Signature]  
Notary Public

[Notary Seal]

My Commission Expires: 12/23/06



# EXHIBIT A

## Trademarks

<u>Mark</u>	<u>Registration No.</u>	<u>Registration Date</u>
Nukon	1,299,504	October 9, 1984
Proformance	1,967,852	April 16, 1996
Barrier Cube Logo	1,969,401	April 23, 1996

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