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Form PTO-1594 (Rev. 10/02) OMB No. 0651-0027 (exp. 6/30/2005) Tab settings



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

102516474

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

1. Name of conveying party(ies): THE CIT GROUP/COMMERCIAL SERVICES, INC. [] Individual(s) [] Association [] General Partnership [] Limited Partnership [] Corporation-State [x] Other Limited Liability Company Additional name(s) of conveying party(ies) attached? [] Yes [x] No

2. Name and address of receiving party(ies) Name: FROST BROS. ENTERPRISES, INC. Internal Address: Street Address: 1114 Avenue of the Americas City: New York State: NY Zip: 10036 [] Individual(s) citizenship [] Association [] General Partnership [] Limited Partnership [x] Corporation-State of Texas [] 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 [x] Other Release of Security Interest Execution Date: 06/18/2003

4. Application number(s) or registration number(s): A. Trademark Application No.(s) See Schedule A Attached B. Trademark Registration No.(s) See Schedule A Attached Additional number(s) attached [x] Yes [] No 996437

5. Name and address of party to whom correspondence concerning document should be mailed: Name: Otterbourg, Steindler, Houston Internal Address: & Rosen, P.C. Attn: Preston R. Cappello Street Address: 230 Park Avenue City: New York State: NY Zip: 10169

6. Total number of applications and registrations involved: 6 7. Total fee (37 CFR 3.41) \$ 165.00 [x] Enclosed [] Authorized to be charged to deposit account 8. Deposit account number:

08/05/2003 DBYRNE 00000121 996837 01 FC:8521 02 FC:8522

9. Signature. 40.00 DP 125.00 DP Preston R. Cappello Name of Person Signing

Signature: Preston R. Cappello Date: August 4, 2003

Total number of pages including cover sheet, attachments, and document: [] Mail documents to be recorded with required cover sheet information to: Commissioner of Patent & Trademarks, Box Assignments Washington, D.C. 20231

TRADEMARK REEL: 002793 FRAME: 0469

SCHEDULE A
TO
RELEASE OF SECURITY INTEREST IN TRADEMARKS

LIST OF TRADEMARKS AND TRADEMARK APPLICATIONS

<u>Mark</u>	<u>Registration No.</u>
JOHN HENRY	996,837
JOHN HENRY	1,219,981
JOHN HENRY	1,320,443
JOHN HENRY	1,452,773
JOHN HENRY FOR WOMEN	1,452,774
JOHN HENRY EDITIONS	1,551,041

RELEASE OF SECURITY INTEREST IN TRADEMARKS

KNOW ALL MEN BY THESE PRESENTS, that THE CIT GROUP/COMMERCIAL SERVICES, INC., in its capacity as agent acting for and on behalf of certain lenders, ("Secured Party"), DOES HEREBY CERTIFY that any security interest it holds in any trademarks of FROST BROS. ENTERPRISES, INC., a Texas corporation ("Debtor"), pursuant to the Trademark Collateral Assignment and Security Agreement, dated September 20, 1993, recorded in the United States Patent and Trademark Office on October 20, 1993 at Reel 1042, Frame 070 (the "Trademark Security Agreement"), which trademarks are more fully identified in Schedule A annexed hereto and made a part hereof, together with the goodwill of the business symbolized thereby, is released and all interests in such property previously assigned to Secured Party under the Trademark Security Agreement are hereby reassigned to Debtor, without recourse or representation or warranty, express or implied, of any kind.

NOW THEREFORE, Secured Party hereby (a) agrees that any power of attorney granted by Debtor to Secured Party pursuant to the Trademark Security Agreement is terminated and (b) authorizes and requests the Patent and Trademark Office to note and record the existence of the release hereby given.

IN WITNESS WHEREOF, Secured Party has caused this Release of Security Interest in Trademarks to be executed by its duly authorized corporate officer this June 18, 2003.

THE CIT GROUP/COMMERCIAL SERVICES, INC.

By: Charles M. Carbone

Title: Vice President

STATE OF NEW YORK)

) ss.:

COUNTY OF NEW YORK)

On the 18th day of June, 2003, before me personally came Charles M. Carbone, to me known, who being by me duly sworn, did depose and say, that he is the Vice President of THE CIT GROUP/COMMERCIAL SERVICES, INC. and that the foregoing instrument was signed on behalf of such limited liability company by order of said limited liability company.

STANLEY R. KARP
Notary Public, State of New York
No. 02KA5057858
Qualified in Suffolk County
Commission Expires April 1 2006

Stanley R. Karp
Notary Public

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