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



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

F.Y.U.S

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

1. Name of conveying party(ies): Bankers Trust Company n/k/a Deutsche Bank Trust Company Americas [] Individual(s) [] Association [] General Partnership [] Limited Partnership [] Corporation-State [x] Other New York Banking Corporation Additional name(s) of conveying party(ies) attached? [] Yes [x] No

2. Name and address of receiving party(ies) Name: Merisant Company Internal Address: 200 World Trade Center Street Address: Merchandise Mark, Ste 900 City: Chicago State: IL Zip: 60654 [] Individual(s) citizenship [] Association [] General Partnership [] Limited Partnership [x] Corporation-State Delaware [] Other If assignee is not domiciled in the United States, a domestic representative designation is attached: [] Yes [x] No (Designations must be a separate document from assignment) Additional name(s) & address(es) attached? [] Yes [x] No

3. Nature of conveyance: [] Assignment [] Merger [] Security Agreement [] Change of Name [x] Other Release of Security Agr. Execution Date: July 11, 2003

4. Application number(s) or registration number(s): A. Trademark Application No. (s) See Attached 76234768 Additional number(s) attached [x] Yes [] No

B. Trademark Registration No.(s) See Attached

5. Name and address of party to whom correspondence concerning document should be mailed: Name: Michael J. Smith, Esquire Internal Address: AKIN GUMP STRAUSS HAUER & FELD, LLP Street Address: 2005 Market Street, 22nd Fl. One Commerce Square City: Phila. State: PA Zip: 19103

6. Total number of applications and registrations involved:

7. Total fee (37 CFR 3.41) ... \$390 [x] Enclosed [] Authorized to be charged to deposit account

8. Deposit account number: please charge any deficiency in payment or credit any over payment to AC #50-1017 (Attach duplicate copy of this page if paying by deposit account)

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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.

Michael J. Smith Name of Person Signing

[Signature] Signature

July 21, 2003 Date

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

5

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

031832-0010

TRADEMARK REEL: 002796 FRAME: 0578

Schedule A

<u>MARK</u>	<u>REGISTRATION NO. (APPLICATION NO.)</u>	<u>REGISTRATION DATE (APPLICATION DATE)</u>
M and Design	(76/234,765)	(April 3, 2001)
MERISANT	(76/087,840)	(July 12, 2000)
LIKE SUGAR, ONLY BETTER	(75/623,795)	(January 19, 1999)
SWEETLIVING	2,476,159	August 7, 2001
EQUAL FOR BAKING	2,087,427	August 12, 1997
SWEETMATE	2,068,819	June 10, 1997
SAME	1,933,895	November 7, 1995
EQUAL	2,012,219	October 29, 1996
MISURA	2,009,274	October 22, 1996
SPOONFUL	1,794,061	September 21, 1993
Package Design	1,734,171	November 17, 1992
Stripe Design (Equal Sign Design)	1,504,461	September 20, 1988
EQUAL	1,318,800	February 12, 1985
CANDEREL	1,217,173	November 23, 1982
EQUAL	1,158,683	June 30, 1981

RELEASE OF SECURITY INTEREST

WHEREAS, Merisant Company, a Delaware corporation, having an address of 200 World Trade Center, Merchandise Mart, Suite 900, Chicago, IL 60654 and Deutsche Bank Trust Company Americas (formerly known as Bankers Trust Company), a New York banking corporation, having an address of One Bankers Trust Plaza, 14th Floor, New York, NY 77008, entered into an Amended and Restated Guarantee and Collateral Agreement (“Agreement”) with respect to certain trade names, trademarks, service marks, trademark applications, trademark registrations, service mark applications and service mark registrations, as set forth in Schedule 6 to the Agreement, and to certain other assets of Merisant Company;

WHEREAS, on or about February 7, 2002, the Agreement was submitted for recordation in the U.S. Patent and Trademark Office and was recorded at Reel and Frame No. 2438/0748;

WHEREAS, on or about February 20, 2002, the Agreement was submitted for recordation in the U.S. Patent and Trademark Office for a second time to correct certain deficiencies and was recorded at Reel and Frame No. 2464/0188;

WHEREAS, all conditions set forth in the Agreement have now been satisfied;
and

WHEREAS, the parties wish to evidence the satisfaction of the Agreement and the release of the security interest in and to the trade names, trademarks, service marks, trademark applications, trademark registrations, service mark applications and service mark registrations, as set forth in Schedule A attached hereto, and in all other assets of Merisant Company, and wish to evidence the release of the security interest in and to the same by the recordation of this document in the U.S. Patent and Trademark Office;

NOW, THEREFORE, in consideration of the foregoing representations and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. Deutsche Bank Trust Company Americas hereby releases the entire security interest in the trade names, trademarks, service marks, trademark applications, trademark registrations, service mark applications, and service mark registrations identified in Schedule A hereto and in all other assets of Merisant Company to the full extent that any security interest was granted in the same by the Agreement.

2. This release of security interest is being executed by Deutsche Bank Trust Company Americas with the intention that it be recorded in the U.S. Patent and Trademark Office to evidence that neither Merisant Company nor any of the properties listed on Schedule A hereto are subject to the security interest as set forth in the Agreement.

IN WITNESS WHEREOF, Deutsche Bank Trust Company Americas has executed this Release of Security Interest as of the 11 day of July, 2003.

DEUTSCHE BANK TRUST
COMPANY AMERICAS

Seal

By:
Name:
Title:

Scottye Lindsey
Scottye Lindsey
Vice President

State of New York)
County of New York)

ss:

I, Edwin Diaz a notary public in New York County, hereby certify that on the date above written, Scottye Lindsey, the vice president of Bankers Trust Company, affixed his/her signature to this document in my presence.

Edwin Diaz
Notary Public
My commission expires:

PH 238832v2

EDWIN DIAZ
NOTARY PUBLIC, State of New York
No. 01D16083848
Qualified in New York County
Commission Expires November 25, 2006