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

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

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

1. Name of conveying party(ies):

JP Morgan Chase Bank, fka The Chase Manhattan Bank

- Individual(s) Association General Partnership Limited Partnership Corporation-State Other

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

3. Nature of conveyance:

- Assignment Merger Security Agreement Change of Name Other Release of Security Interest

Execution Date: December 24, 2003

2. Name and address of receiving party(ies)

Name: Eagle Family Foods, Inc.

Internal Address:

Street Address: 735 Taylor Road

City: Gahanna State: OH Zip: 43230

- Individual(s) citizenship Association General Partnership Limited Partnership Corporation-State Delaware 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 No.(s)

B. Trademark Registration No.(s) 1,499,790;

1,410,798; 1,140,027

Additional number(s) attached Yes No

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

Name: Kim A. Walker

Internal Address: Willkie Farr &

Gallagher LLP

Street Address: 787 7th Avenue

City: New York State: NY Zip: 10019

6. Total number of applications and registrations involved:

3

7. Total fee (37 CFR 3.41): \$ 90

- Enclosed Authorized to be charged to deposit account

8. Deposit account number:

23-2405

DO NOT USE THIS SPACE

9. Signature.

Kim A. Walker Name of Person Signing

Signature

12/24/03 Date

Total number of pages including cover sheet, attachments, and document: 4

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



12 24 2003

TRADEMARK REEL: 002894 FRAME: 0209

## **RELEASE OF SECURITY INTEREST IN TRADEMARKS**

THIS RELEASE OF SECURITY INTEREST IN TRADEMARKS (the "Release"), is granted and conveyed as of this 24th day of December, 2003, by JPMorgan Chase Bank, as collateral agent (the "Agent"), in favor of Eagle Family Foods, Inc. (the "Obligor").

### **WITNESSETH:**

WHEREAS, pursuant to that certain Security Agreement, dated as of January 23, 1998, by and between Obligor and Agent, among others ("Security Agreement"), Obligor has granted a security interest in certain of its tangible and intangible personal property, including, but not limited to, the trademarks listed on the attached Exhibit A, together with any applications for federal registration or federal registrations therefor (collectively, the "Released Trademarks");

WHEREAS, the Security Agreement was filed on behalf of Agent in the United States Patent and Trademark Office, at reel/frame 1693/0001, to evidence the security interest granted to Agent thereunder;

WHEREAS, as a result of the sale of all of the assets comprising the Business (as defined in the Asset Purchase Agreement between Eagle Family Foods, Inc., and Dean Specialty Foods, Inc., dated as of December 24, 2003 (the "Purchase Agreement"), Agent has agreed to release and terminate its rights and security interest in the Released Trademarks;

WHEREAS, Obligor has requested that Agent: (a) terminate and release the liens and interests of Agent in the Released Trademarks; and (b) execute and deliver evidence of such termination and release for filing in the Patent and Trademark Office; and

WHEREAS, Obligor has satisfied and fulfilled all of its obligations to release the Agent's security interest in the Released Trademarks under the Security Agreement, and the parties seek to make a record of Agent's release and reassignments to Obligor of any and all of its security interests in the Released Trademarks.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Agent hereby releases, discharges, and relinquishes, as of December 24, 2003, its security interests in the Released Trademarks. Agent specifically acknowledges that its security interests in the Released Trademarks are no longer in force.

IN WITNESS WHEREOF, Agent has caused this Release to be duly executed and delivered by its officer thereunto duly authorized as of the date first above written.

JPMORGAN CHASE BANK

By: Neil R. Boylan  
Name:  
Title: **Neil R. Boylan  
Managing Director**

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

On this 22<sup>nd</sup> day of December, 2003, before me personally came Neil R. Boylan to be known, who, being by me duly sworn, did depose and say that he/she is a Managing Director of JPMorgan Chase Bank, the Agent described in and which executed the above instrument.

**ELSA V GRIFFITH**  
Notary Public, State of New York  
No. 01GR4838119  
Qualified in Kings County  
Commission Expires March 30, 2007  
Elsa V. Griffith  
Notary Public

[Notarial Seal]

**EXHIBIT A**

<b>Trademark</b>	<b>Country</b>	<b>Reg. No.</b>	<b>Reg. Date</b>
BOTTLE SHAPE DESIGN (Cremora)	U.S.	1,499,790	8/9/88
CREMORA	U.S.	1,410,798	9/23/86
REGENCY	U.S.	1,140,027	9/30/80