

# TRADEMARK ASSIGNMENT

Electronic Version v1.1  
 Stylesheet Version v1.1

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT										
<b>NATURE OF CONVEYANCE:</b>	Release from Trademark Security Agreement										
<b>CONVEYING PARTY DATA</b>											
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 25%;">Name</th> <th style="width: 25%;">Formerly</th> <th style="width: 25%;">Execution Date</th> <th style="width: 25%;">Entity Type</th> </tr> <tr> <td>Wells Fargo Bank, National Association</td> <td></td> <td>12/21/2004</td> <td>national banking association: UNITED STATES</td> </tr> </table>	Name	Formerly	Execution Date	Entity Type	Wells Fargo Bank, National Association		12/21/2004	national banking association: UNITED STATES			
Name	Formerly	Execution Date	Entity Type								
Wells Fargo Bank, National Association		12/21/2004	national banking association: UNITED STATES								
<b>RECEIVING PARTY DATA</b>											
Name:	Captain D's Holdings, Inc.										
Street Address:	1717 Elm Hill Pike										
Internal Address:	Suite A-1										
City:	Nashville										
State/Country:	TENNESSEE										
Postal Code:	37210										
Entity Type:	CORPORATION: TENNESSEE										
<b>PROPERTY NUMBERS Total: 19</b>											
Property Type	Number	Word Mark									
Serial Number:	78342640	SHRIMP SHAKERS									
Serial Number:	78342631	SEAFOOD HARVEST									
Serial Number:	78342621	HOMESTYLE CRUNCHY									
Serial Number:	78342619	AQUA AGENTS									
Registration Number:	2567223	D'S FREEZE									
Registration Number:	2558642	CAPTAIN D'S PLEASE									
Registration Number:	2223344										
Registration Number:	1828688	THE GREAT LITTLE SEAFOOD HOUSE									
Registration Number:	1661241	CAPTAIN D'S									
Registration Number:	1654602	THE GREAT LITTLE SEAFOOD PLACE									
Registration Number:	1649084										
Registration Number:	1492731	LITTLE MATE'S MEAL									
Registration Number:	1341166	LIGHTEN UP									

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**TRADEMARK**  
**REEL: 003025 FRAME: 0809**

Registration Number:	1151309	A GREAT LITTLE SEAFOOD PLACE
Registration Number:	1130154	
Registration Number:	1029629	CAPTAIN D'S
Registration Number:	1029628	
Registration Number:	1792066	CAPTAIN'S CLASS
Registration Number:	1792057	REAL SEAFOOD. REAL QUICK.

#### CORRESPONDENCE DATA

Fax Number: (919)416-8339

*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*

Phone: 919 286-8049

Email: PTO\_TMconfirmation@mvalaw.com

Correspondent Name: Moore & Van Allen PLLC

Address Line 1: 430 Davis Drive

Address Line 2: Suite 500

Address Line 4: Morrisville, NORTH CAROLINA 27560

NAME OF SUBMITTER:	John E. Slaughter
Signature:	/John E. Slaughter/
Date:	02/09/2005

#### Total Attachments: 4

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**RELEASE FROM TRADEMARK SECURITY AGREEMENT**

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, WELLS FARGO BANK,. NATIONAL ASSOCIATION., a U.S. national banking association ("Secured Party"), whose address is 5938 Priestly Drive, Suite 200, Carlsbad, California 92008, does hereby terminate and release its interest in and to the Trademark Security Agreement entered into with CAPTAIN D'S HOLDING, INC., a Tennessee corporation ("Debtor"), whose address is 1727 Elm Hill Pike, Nashville, TN 37210, which was recorded with the United States Patent and Trademark Office on January 21, 2004, at Reel/Frame 2782/0103, and does hereby release any further interest it may have in the trademark collateral specified in the Trademark Security Agreement, including without limitation , those marks and registrations listed on Attachment A attached hereto and incorporated herein by reference.

**SECURED PARTY**

WELLS FARGO BANK, NATIONAL ASSOCIATION

By:   
Printed Name: Brian J. Roach  
Title: Managing Director

STATE OF California

COUNTY OF San Diego

§  
§  
§

Brian J. Roach the Managing Director of WELLS FARGO BANK, NATIONAL ASSOCIATION, a U.S. national banking association, personally appeared before me, and being first duly sworn declared that he/she signed the Release From Trademark Security Agreement in the capacity designated, and further states that he/she has read the above document, and the statements therein contained are true.

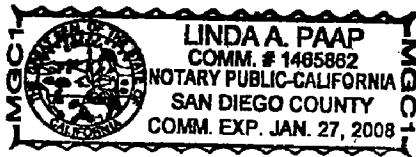
SUBSCRIBED AND SWORN TO before me this 21<sup>st</sup> day of December, 2004.

Linda A Paap  
Notary Public in and for the State of California

My Commission Expires:

Jan 27, 2008

Linda A. Paap  
Printed Name



**ATTACHMENT A****TRADEMARKS**

Owner of Record	Trademark	Registration No. or Application No.	Status	Assignments or Liens
Captain D's Holdings, Inc.	SHRIMP SHAKERS	78/342,640	Pending – Published	Security Interest by Captain D's Holdings, Inc. to Wells Fargo Bank, N.A., Signed 12/31/2003; Recorded 01/21/2004 at R/F: 2782/0103
Captain D's Holdings, Inc.	SEAFOOD HARVEST	78/342,631	Pending – Published	Security Interest by Captain D's Holdings, Inc. to Wells Fargo Bank, N.A., Signed 12/31/2003; Recorded 01/21/2004 at R/F: 2782/0103
Captain D's Holdings, Inc.	HOMESTYLE CRUNCHY	78/342,621	Pending	Security Interest by Captain D's Holdings, Inc. to Wells Fargo Bank, N.A., Signed 12/31/2003; Recorded 01/21/2004 at R/F: 2782/0103
Captain D's Holdings, Inc..	AQUA AGENTS	78/342,619	Pending – Published	Security Interest by Captain D's Holdings, Inc. to Wells Fargo Bank, N.A., Signed 12/31/2003; Recorded 01/21/2004 at R/F: 2782/0103
Captain D's Holdings, Inc.	D'S FREEZE	2,567,223	Registered 05/07/2002	Security Interest by Captain D's Holdings, Inc. to Wells Fargo Bank, N.A., Signed 12/31/2003; Recorded 01/21/2004 at R/F: 2782/0103
Captain D's Holdings, Inc.	CAPTAIN D'S PLEASE	2,558,642	Registered 04/09/2002	Security Interest by Captain D's Holdings, Inc. to Wells Fargo Bank, N.A., Signed 12/31/2003; Recorded 01/21/2004 at R/F: 2782/0103
Captain D's Holdings, Inc.	DESIGN ONLY	2,223,344	Registered 02/09/1999	Security Interest by Captain D's Holdings, Inc. to Wells Fargo Bank, N.A., Signed 12/31/2003; Recorded 01/21/2004 at R/F: 2782/0103
Captain D's Holdings, Inc.	THE GREAT LITTLE SEAFOOD HOUSE	1,828,688	Registered 03/29/1994	Security Interest by Captain D's Holdings, Inc. to Wells Fargo Bank, N.A., Signed 12/31/2003; Recorded 01/21/2004 at R/F: 2782/0103;
Captain D's Holdings, Inc.	CAPTAIN D'S & DESIGN	1,661,241	Renewed 01/23/2002	Security Interest by Captain D's Holdings, Inc. to Wells Fargo Bank, N.A., Signed 12/31/2003; Recorded 01/21/2004 at R/F: 2782/0103;

Owner of Record	Trademark	Registration No. or Application No.	Status	Assignments or Liens
Captain D's Holdings, Inc.	THE GREAT LITTLE SEAFOOD PLACE	1,654,602	Renewed 08/03/2001	Security Interest by Captain D's Holdings, Inc. to Wells Fargo Bank, N.A., Signed 12/31/2003; Recorded 01/21/2004 at R/F: 2782/0103;
Captain D's Holdings, Inc.	DESIGN ONLY	1,649,084	Renewed 10/26/2001	Security Interest by Captain D's Holdings, Inc. to Wells Fargo Bank, N.A., Signed 12/31/2003; Recorded 01/21/2004 at R/F: 2782/0103;
Captain D's Holdings, Inc.	LITTLE MATE'S MEAL	1,492,731	Registered 06/14/1988	Security Interest by Captain D's Holdings, Inc. to Wells Fargo Bank, N.A., Signed 12/31/2003; Recorded 01/21/2004 at R/F: 2782/0103;
Captain D's Holdings, Inc.	LIGHTEN UP	1,341,166	Registered 06/11/1985	Security Interest by Captain D's Holdings, Inc. to Wells Fargo Bank, N.A., Signed 12/31/2003; Recorded 01/21/2004 at R/F: 2782/0103;
Captain D's Holdings, Inc.	A GREAT LITTLE SEAFOOD PLACE	1,151,309	Renewed 12/19/2001	Security Interest by Captain D's Holdings, Inc. to Wells Fargo Bank, N.A., Signed 12/31/2003; Recorded 01/21/2004 at R/F: 2782/0103;
Captain D's Holdings, Inc.	DESIGN ONLY	1,130,154	Renewed 11/18/2000	Security Interest by Captain D's Holdings, Inc. to Wells Fargo Bank, N.A., Signed 12/31/2003; Recorded 01/21/2004 at R/F: 2782/0103;
Captain D's Holdings, Inc.	CAPTAIN D'S	1,029,629	Renewed 12/28/1995	Security Interest by Captain D's Holdings, Inc. to Wells Fargo Bank, N.A., Signed 12/31/2003; Recorded 01/21/2004 at R/F: 2782/0103
Captain D's Holdings, Inc.	DESIGN ONLY	1,029,628	Renewed 02/13/1996	Security Interest by Captain D's Holdings, Inc. to Wells Fargo Bank, N.A., Signed 12/31/2003; Recorded 01/21/2004 at R/F: 2782/0103
Captain D's Holdings, Inc.	CAPTAIN'S CLASS	1,792,066	Cancelled	Security Interest by Captain D's Holdings, Inc. to Wells Fargo Bank, N.A., Signed 12/31/2003; Recorded 01/21/2004 at R/F: 2782/0103
Captain D's Holdings, Inc.	REAL SEAFOOD. REAL QUICK.	1,792,057	Cancelled	Security Interest by Captain D's Holdings, Inc. to Wells Fargo Bank, N.A., Signed 12/31/2003; Recorded 01/21/2004 at R/F: 2782/0103