

09-01-2004

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



102826786

To the Director of the U.S. Patents and Trademarks: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies)/Execution Date(s):

FLEET NATIONAL BANK, as Administrative Agent

- ☐ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☐ Corporation
☒ Other National banking association

Citizenship (see guidelines) _____

Execution Date(s) August 25, 2004

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

2. Name and address of receiving party(ies):

☐ Yes

Additional names, addresses, or citizenship attached? ☒ No

Name: FADA INDUSTRIES, INC.

Street Address: 47-50 33rd Street

City: Long Island City

State: New York

Country: USA Zip: 11101

- ☐ Association Citizenship _____
☐ General Partnership Citizenship _____
☐ Limited Partnership Citizenship _____
☒ Corporation Citizenship Delaware
☐ Other _____ Citizenship _____

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)

4. Application number(s) or registration number(s) and identification or description of Trademark.

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

SEE ATTACHED SCHEDULE

Additional number(s) attached? ☒ Yes ☐ No

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):

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

Name: Rhonda DeLeon

Internal Address: Latham & Watkins, LLP

Street Address: 650 Town Center Drive, Suite 2000

City: Costa Mesa

State: California Zip: 92626

Phone Number: 714-540-1235

Fax Number: 714-755-8290

Email Address: ipdocket@lw.com

6. Total number of applications and registrations involved:

15

7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ 390.00

- ☐ Authorized to be charged by credit card
☐ Authorized to be charged to deposit account
☒ Enclosed

8. Payment Information:

- a. Credit Card Last 4 Numbers _____
b. Deposit Account Number 500524 (For additional fees)
Authorized User Name Rhonda DeLeon

9. Signature:

Signature

August 27, 2004

Date

08/31/2004 EDOOPER 00000019 2043362

Rhonda DeLeon

01 FC:8521
02 FC:8522

40.00 OP
350.00 OP

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

5

Documents to be recorded (including cover sheet) should be faxed to (703) 306-5995, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

OC\700064.1

TRADEMARK
REEL: 003039 FRAME: 0085

SCHEDULE A
FADA INDUSTRIES, INC.
U.S. TRADEMARKS

Trademark Registrations

<u>Mark</u>	<u>Registration No.</u>
0 2 COOL	2,843,362
DESIREE	2,778,480
ASHLEY FIELDS	2,813,618
FOXY	2,636,856
DURANGO	2,772,443
AFFINITY	2,723,637
BRIO	2,738,757
LIZ JONES	2,726,713
INFERNO	2,767,836
FLIRT	2,562,360
EPILOGUE	2,476,645
CHAMP ELYSEES	2,321,084
BRIGADE	2,321,083
ALTO	1,887,895
FUTURA	1,271,736

TERMINATION OF SECURITY INTEREST

This Termination of Security Interest, dated as of August 25, 2004, is executed by Fleet National Bank, a national banking association, with an office at 100 Federal Street, Boston, Massachusetts 02110, as administrative agent for itself and certain secured parties (the "Administrative Agent"), to release all security interests of the Administrative Agent in the Intellectual Property (defined below) owned by Fada Industries, Inc. ("Fada").

Recitals

WHEREAS, Fada previously granted to Administrative Agent a security interest in, among other things, the patents, trademarks and other intellectual property items listed on Schedule A (the "Intellectual Property") as evidenced by that certain Amended and Restated Intellectual Property Security Agreement dated July 28, 2000 in the United States Patent and Trademark Office on August 29, 2000 and recorded with the United States Patent and Trademark Office at Reel 002143, Frame 0607 (the "Security Agreement").

WHEREAS, the Administrative Agent desires to terminate the Secured Party's security interest in the Intellectual Property owned by Fada.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Administrative Agent hereby terminates all of the Administrative Agent's security interests in the Intellectual Property owned by Fada, including, without limitation, that set forth at Reel 002143, Frame 0607.

IN WITNESS WHEREOF, Administrative Agent has caused this Termination of Security Interest to be duly executed on the date first mentioned above.

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FLEET NATIONAL BANK,

By: James C. Silva

Name: JAMES C. SILVA

Title: Managing Director

STATE OF MASSACHUSETTS)

COUNTY OF Suffolk) ss

On this 24th day of AUGUST, 2004 before me personally appeared James C. Silva, to me personally known, who being by me duly sworn says that he/she is the Managing Director of FLEET NATIONAL BANK, duly authorized to execute this instrument for FLEET NATIONAL BANK, and that said execution was the free act and deed of FLEET NATIONAL BANK.

James C. Silva
Notary Public
My Commission Expires: 10/20/06

Schedule A

Fada Industries, Inc.: Trademarks

	Serial Number	Reg. Number	Word Mark	Status
1	76125821	2485198	BAY TREE	ACTIVE
2	76008263	2843362	0 2 COOL	ACTIVE
3	76381594	2778480	DESIRÉE	ACTIVE
4	76333746	2813618	ASHLEY FIELDS	ACTIVE
5	76196055	2636856	FOXY	ACTIVE
6	76384454	2772443	DURANGO	ACTIVE
7	76411011	2762701	SURGE	ACTIVE
8	76384678	2723637	AFFINITY	ACTIVE
9	76381515	2738757	BRIO	ACTIVE
10	76381513	2726713	LIZ JONES	ACTIVE
11	76378569	2767836	INFERNO	ACTIVE
12	75914444	2562360	FLIRT	ACTIVE
13	75862616	2476645	EPILOGUE	ACTIVE
14	75609730	2321084	CHAMP ELYSEES	ACTIVE
15	75609729	2321083	BRIGADE	ACTIVE
16	74354393	1887895	ALTO	ACTIVE
17	73337628	1271736	FUTURA	ACTIVE

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