

10-07-2004

NRD 10-6-04



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

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

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

10-6-04

1. Name of conveying party(ies):

JP Morgan Chase Bank

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

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

3. Nature of conveyance:

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

Execution Date: 9/30/04

2. Name and address of receiving party(ies)

Name: Burns Philp Food Inc.

Internal Address:

Street Address: 240 Larkin Williams Industrial Court
City: Fenton State: MO Zip: 63026

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership

Corporation-State CA

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

10/6/04

4. Application number(s) or registration number(s):

A. Trademark Application No.(s)
See attached

B. Trademark Registration No.(s)

See attached

Additional number(s) attached Yes No

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

Name: Penelope Agodoa

Internal Address: Federal Research Corporation

Street Address: 1030 15th Street, NW

Suite 920

City Washington State: DC Zip: 20005

6. Total number of applications and registrations involved:

35

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

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. 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.

Yong In
Name of Person Signing

[Signature]
Signature

October 5, 2004
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

10/07/2004 GTDK11 00000040 75063785

01 FC:8521
02 FC:8522

40.00 OP
850.00 DP

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TRADEMARK
REEL: 003093 FRAME: 0693

RECEIVED DPT
2004 OCT 7 - 5 PM 3:24
ASSIGNED

Exhibit A

<u>Registration/Serial No.</u>	<u>Mark</u>
75/063785	A COOPERATIVE EFFORT BETWEEN NATURE AND TECHNOLOGY
1868501	BAKER'S SELECT
1566651	BENCH MATE
1905206	BENCH MATE
75/057242	BENCHMATE EXCEL
2062872	BENCHMATE EXTENZYM
2126000	BEST
1816444	BIOZYEST
1573673	BOOST
1404589	CARE CUBES
1284504	CHEZYER
1567401	CHEZYER
1827917	CRYSTAL SELECT
0658885	DIP-A-CONE
0781485	DESIGN ONLY
1377841	DESIGN ONLY
75/253927	DESIGN ONLY
1717444	DREARLSSLOAN
1393435	EISKUSSCHEN
2107625	MAURIPAN
2065850	OOBEE
75/181402	PEPPER PLUS
1118385	PERFECTION
1628532	PETPAL
1521159	PROVESTA
1288612	PROVESTEEN

Exhibit A-1 (of 2)

1026331	TORUTEIN
1084182	TORUTEIN-10
1085630	TORUTEIN-50
1048248	TORUTEIN-94
1103986	TORUWAY
1429806	WHERE INNOVATION COMES TO LIFE
1171505	ZYEST
1572224	ZYEST
2228999	ZYMOX

TERMINATION AND RELEASE OF SECURITY INTERESTS IN TRADEMARKS**Burns Philp Food Inc.**

TERMINATION AND RELEASE OF SECURITY INTEREST IN TRADEMARKS, dated as of September 30, 2004, by **JPMORGAN CHASE BANK /k/a THE CHASE MANHATTAN BANK**, as Co-Trustee under a certain Security Trust Deed dated July 28, 1998 among it, Burns Philp & Company Limited and Chase Securities Australia Ltd. (together with its successors and assigns, the "Security Trustee") in favor of **BURNS PHILP FOOD INC.**, a California corporation ("BPFI").

WHEREAS, BPFI and Burns Philp Inc. and the Security Trustee entered into a Security Agreement, dated as of August 13, 2001, and recorded with the United States Patent and Trademark Office on May 15, 2003 at Reel 2732, Frame 0706 (the "Security Agreement").

WHEREAS, pursuant to the Security Agreement, the Security Trustee was granted a security interest in (among other things) all of BPFI's presently existing and after acquired Trademarks (as such term is defined in the Security Agreement), including, without limitation, the Trademarks identified on Exhibit A hereto, together with all proceeds and products of said Trademarks and all claims and causes of action against any third party relating thereto (collectively, "Collateral Trademarks");

WHEREAS, in connection with a disposition by BPFI's parent corporation of its interest in BPFI, the Security Trustee has been requested to terminate and release its security interest and its right, title and interest in the Collateral Trademarks as herein provided;

NOW, THEREFORE, for valuable consideration and pursuant to the terms and conditions set forth in the Security Agreement:

The Security Trustee hereby unconditionally and irrevocably terminates and releases its security interest in each of the Collateral Trademarks, including without limitation the Trademarks identified on Exhibit A attached hereto, and the Security Trustee hereby unconditionally and irrevocably assigns and transfers to BPFI, without recourse, all of the Security Trustee's right, title and interest in and to the Collateral Trademarks, including without limitation the Trademarks identified on Exhibit A attached hereto, effective as of the date set forth above.

IN WITNESS WHEREOF, the undersigned parties have executed this instrument as of the date first above mentioned.

JPMORGAN CHASE BANK f/k/a
THE CHASE MANHATTAN BANK,
as Co-Trustee

By: Taeko Fukaiishi
Name: TAEKO FUKAISHI
Title: ASSISTANT VICE PRESIDENT

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF New York)
COUNTY OF New York)

Before me, the undersigned, a Notary Public in and for the county aforesaid, on this 21st day of September, 2004, personally appeared Taeko Fukaiishi to me known personally, and who, being by me duly sworn, deposes and says that s/he is a Assistant Vice President of JPMorgan Chase Bank f/k/a The Chase Manhattan Bank, and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and said officer acknowledged said instrument to be the free act and deed of said corporation.

[Signature]
Notary Public
My Commission Expires: _____

JAMES M. FOLEY NO. 01F06348400
Notary Public, State of New York
Qualified in New York County
My Commission Expires Aug. 31, 2006

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