

06-17-2005

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MARKS ONLY

NRD 10-6-04

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U.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

- ☐ 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*

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

☐ 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)
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 AgodoaInternal Address: Federal Research CorporationStreet Address: 1030 15th Street, NWSuite 920City Washington State: DC Zip: 20005

6. Total number of applications and registrations involved:

30

7. Total fee (37 CFR 3.41).....\$ 765.00

☒ 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.

Yang In
 Name of Person Signing

Yang In
 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 GTDN11 00000046 75063785

01 FC:8521
 02 FC:8522

40.00 DP
 725.00 DP

TRADEMARK
 REEL: 003104 FRAME: 0564

Exhibit A

Trademarks – United States

<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
6588850	DIP-A-CONE
0781485	DESIGN ONLY
1377841	DESIGN ONLY
75/253927	DESIGN ONLY
1717444	DREARLSSLOAN
1393435	EISKUSSCHEN
2065850	OOBEE
75/181402	PEPPER PLUS
1118385	PERFECTION
1628532	PETPAL
1521159	PROVESTA
1288612	PROVESTEEN
1026331	TORUTEIN

Exhibit A-1 (of 2)

<u>Registration/Serial No.</u>	<u>Mark</u>
1103986	TORUWAY
1429806	WHERE INNOVATION COMES TO LIFE
1171505	ZYEST
1572224	ZYEST

Trademarks – Canada

<u>Registration/Serial No.</u>	<u>Mark</u>
TMA527359	BAKER'S PREMIUM
TMA491220	BENCHMATE
TMA382687	BENCHMATE
TMA215449	TORUTEIN
TMA281175	FLOWER AND DESIGN

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 f/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 the Security Trustee entered into the following security agreements for the purpose of securing the obligations of BPFI described therein: Trademark Security Agreement dated as of July 28, 1998, and recorded with the United States Patent and Trademark Office on August 19, 1998 at Reel 1784, Frame 0001, and with the Canadian Intellectual Property Office on December 22, 1998, as amended by that certain Termination and Release of Security Interest in Trademarks (the "Termination") dated as of July 27, 2001 and recorded with the United States Patent and Trademark Office on November 5, 2001, at Reel 2386, Frame 0649 (as so amended, the "Trademark Agreement").

WHEREAS, pursuant to the Trademark Agreement, BPFI granted to the Security Trustee security interests in all the Trademarks (as defined in the Trademark Agreement); and

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 Trademarks as herein provided.

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

The Security Trustee hereby unconditionally and irrevocably terminates and releases its security interest in all of BPFI's Trademarks (as such term is defined in the Trademark Agreement), 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 such Trademarks (as such term is defined in the Trademark Agreement), including without limitation the Trademarks listed 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.

James M. Foley
Notary Public
My Commission Expires: _____

JAMES M. FOLEY NO. 01FO6348400
Notary Public, State of New York
Qualified in New York County
My Commission Expires Aug. 31, 2006

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