

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	Release

**CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Finova Capital Corporation	FORMERLY Fremont Financial Corporation	05/31/2005	CORPORATION: DELAWARE

**RECEIVING PARTY DATA**

Name:	Texas Boot
Street Address:	299 Plus Park Boulevard
Internal Address:	Suite 100
City:	Nashville
State/Country:	TENNESSEE
Postal Code:	37217
Entity Type:	CORPORATION: DELAWARE

**PROPERTY NUMBERS Total: 5**

Property Type	Number	Word Mark
Serial Number:	74457078	AMERICA'S BOOTMAKER
Serial Number:	74176812	DURABUCK
Serial Number:	74533604	J. CHISHOLM HANDCRAFTED BOOTS
Serial Number:	73075844	MAGIC-FLEX
Serial Number:	73835350	MAGIC-FLEX

**CORRESPONDENCE DATA**

Fax Number: (615)383-8134  
*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*  
 Email: doug@cumberlandlawgroup.com  
 Correspondent Name: Doug Kirk  
 Address Line 1: 1222 16th Avenue South  
 Address Line 2: Suite 10  
 Address Line 4: Nashville, TENNESSEE 37212

OP \$140.00 74457078

NAME OF SUBMITTER:	Doug Kirk
Signature:	/Doug Kirk/
Date:	06/22/2005
Total Attachments: 3 source=Finova Release 2#page1.tif source=Finova Release 2#page2.tif source=Finova Release 2#page3.tif	

## RELEASE AND REASSIGNMENT

**THIS RELEASE AND REASSIGNMENT** is made effective as of August 26, 2002, by Finova Capital Corporation ("**Lender**"), a Delaware corporation, having an address at 355 S. Grand Avenue, Suite 2500, Los Angeles, California 90071 and successor by merger to Fremont Financial Corporation ("**Fremont**"), .

**WHEREAS**, pursuant to that certain Trademark Collateral Assignment and Security Agreement dated January 24, 1997 (the "**Collateral Assignment**"), Texas Boot, Inc., ("**Texas Boot**") assigned and conveyed to Fremont and granted to Fremont a security interest in, Texas Boot's entire right, title and interest in and to certain trademarks, together with the goodwill of the business with which such trademarks were associated;

**WHEREAS**, Fremont merged into Lender;

**WHEREAS**, Texas Boot satisfied all of its secured obligations to Lender;

**WHEREAS**, on August 26, 2002, Lender executed a Release of Security Interest and Reassignment (the "**Reassignment Agreement**") releasing any and all of Lender's claims, liens, and other encumbrances under the Collateral Assignment, and reassigning to Texas Boot any and all rights conveyed under the Collateral Assignment;

**WHEREAS**, the Reassignment Agreement inadvertently failed to list the trademarks set forth on Schedule A (the "**Trademarks**"); and

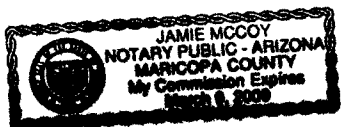
**WHEREAS**, Lender and Texas Boot wish to document the release of any and all of Lender's claims, liens, and other encumbrances under the Collateral Assignment to the Trademarks and the reassignment to Texas Boot of any and all rights in the Trademarks and associated good will that may have been previously conveyed by the Collateral Assignment.

**NOW, THEREFORE**, Lender hereby releases any and all claims, liens, and other encumbrances arising under the Collateral Assignment with respect to the Trademarks, and reassigns any and all of Lender's rights, title, and interests in and to the Trademarks, together with the goodwill of the business symbolized by the Trademarks and any other intellectual property rights so assigned, and all causes of action for any and all past infringements of the rights so assigned occurring before or after the date of assignment and the right to collect and retain the proceeds therefrom.

In the event this Release and Reassignment cannot be given legal effect as of August 26, 2002, then the Lender and Texas Boot desire that this Release and Reassignment be effective as of the execution date hereof.

Should any provision of this Release and Reassignment be held to be unenforceable by any court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforceability of any other provision of this Release and Reassignment.

IN WITNESS WHEREOF, Lender has caused this Release and Reassignment to be executed and delivered.



FINOVA CAPITAL CORP.  
By: [Signature]  
Name: Richard Lieberman  
Title: Senior Vice President  
General Counsel and Secretary  
Date: \_\_\_\_\_

[Signature]  
State of Arizona  
County of Maricopa

Before me personally appeared Richard Lieberman, the above-identified individual who acknowledged that he executed the foregoing assignment in the capacity indicated on behalf of Finova Capital Corp. on the 31 day of May, 2005.

**Trademarks**

<b>Country</b>	<b>Trademark</b>	<b>Goods &amp; Services</b>	<b>Registration Number</b>	<b>Registration Date</b>
USA	AMERICA'S BOOTMAKER	Retail shoe store services	1,877,045	01/31/1995
USA	DURABUCK (stylized)	Men's, women's & children's cowboy boots made of leather	1,690,276	06/02/1992
USA	J. CHISHOLM HANDCRAFTED BOOTS & design	Boots	1,923,763	10/03/1995
USA	MAGIC-FLEX & design	Shoes	1,060,356	03/01/1977
USA	MAGIC-FLEX & design	Western boots	1,597,608	05/22/1990

**TRADEMARK**