# TRADEMARK ASSIGNMENT

Electronic Version v1.1 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	RELEASE BY SECURED PARTY

### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
CIT Group/Credit Finance, Inc.		10/21/2005	CORPORATION: DELAWARE

#### **RECEIVING PARTY DATA**

Name:	Milk Specialties Company	
Street Address:	Illinois and Water Streets	
City:	Dundee	
State/Country:	ILLINOIS	
Postal Code:	60118	
Entity Type:	CORPORATION: DELAWARE	

#### PROPERTY NUMBERS Total: 1

Property Type	Number	Word Mark
Registration Number:	1058909	START TO FINISH

### **CORRESPONDENCE DATA**

Fax Number: (608)283-2275

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

Phone: (608) 283-0132

Email: kateelin@michaelbest.com

Correspondent Name: Kelly Teelin c/o Michael Best & Friedric

Address Line 1: 1 South Pinckney Street

Address Line 2: Suite 700

Address Line 4: Madison, WISCONSIN 53703

ATTORNEY DOCKET NUMBER:	066524-0016
NAME OF SUBMITTER:	Kelly A. Teelin
Signature:	/s/ Kelly A. Teelin
Date:	10/21/2005

### Total Attachments: 4

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#### RELEASE AND REASSIGNMENT

THIS RELEASE AND REASSIGNMENT is made this 21st day of October, 2005 by CIT Group/Credit Finance, Inc., a Delaware corporation ("CIT Group").

## WITNESSETH:

WHEREAS, Milk Specialties Company, Inc., a Delaware corporation ("MSC") and CIT Group entered into that certain Loan and Security Agreement, dated March 26, 1998, evidencing the extension by CIT Group of loans and other financial accommodations (the "Loans") to MSC;

WHEREAS, as partial security for the Loans, PET-AG, Inc., a Delaware corporation and wholly-owned subsidiary of MSC ("PET-AG"), entered into that certain Trademark and License Security Agreement, dated March 26, 1998, thereby granting a security interest in and to all registered and unregistered Trademarks (defined below) of PET-AG to CIT Group; and

WHEREAS, the Loans were previously fully satisfied and CIT Group desires to release its security interest in the Trademarks and reassign the same.

**NOW THEREFORE**, for good and valuable consideration, receipt and sufficiency of which are hereby acknowledged:

- 1. CIT Group hereby releases its security interest in all of MSC's and PET-AG's right, title and interest in and to all of its now owned or existing and filed and hereafter acquired or arising and filed:
- (a) trademarks, trademark registrations, tradenames and trademark applications, including, without limitation, the trademarks and applications listed on Exhibit A, attached hereto and made a part hereof, and (i) renewals and extensions thereof, (ii) all income, royalties, damages and payments now and hereafter due and/or payable under and with respect thereto, including without limitation, damages and payments for past or future infringements thereof, (iii) the right to sue for past, present and future infringements thereof, and (iv) all rights corresponding thereto throughout the world (all of the foregoing trademarks, trademark registrations, tradenames and applications, together with the items described in clauses (i)-(iv) of this subparagraph, are herein referred to as the "Trademarks"); and
- (b) the goodwill of MSC's and PET-AG's business connected with and symbolized by the Trademarks.

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- 2. CIT Group hereby reassigns, grants and conveys to MSC, without any representation, recourse or undertaking by CIT Group, all of CIT Group's rights, title and interest, in and to the Trademarks.
- 3. <u>Governing Law.</u> This Agreement shall be governed by and be construed in accordance with the laws of the State of Wisconsin.
- 4. <u>Signatures</u>. This Agreement may be executed in facsimile copy with the same binding effect as the original.

[Signature Page Follows]

IN WITNESS WHEREOF, CIT Group has caused this Release and Reassignment to be duly executed by its duly authorized officer as of the day and year first above written.

CIT GROUP/CREDIT FINANCE, INC.

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Name:<u> K∂</u>

tile: Vice Preside

[Signature Page to Release and Reassignment]

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# EXHIBIT A

# **Trademarks**

MARK	REGISTRATION NO.
Start to Finish	1,058,909

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**RECORDED: 10/21/2005**