

9/30/05

10-14-2005



RECC  
TR... 103099712

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

1. Name of conveying party(ies):

Fleet National Bank

- Individual(s)
- General Partnership
- Corporation- State: \_\_\_\_\_
- Other National Banking Association
- Association
- Limited Partnership

Citizenship (see guidelines) \_\_\_\_\_

Additional names of conveying parties attached?  Yes  No

3. Nature of conveyance /Execution Date(s) :

Execution Date(s) 09/29/2005

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

2. Name and address of receiving party(ies)

Additional names, addresses, or citizenship attached?  Yes  No

Name: Kuilima Resort Company

Internal

Address: \_\_\_\_\_

Street Address: 57-091 Kamehameha Highway

City: Kahuku

State: Hawaii

Country: USA Zip: 96731

- Association Citizenship \_\_\_\_\_
- General Partnership Citizenship Hawaii
- Limited Partnership Citizenship \_\_\_\_\_
- Corporation Citizenship \_\_\_\_\_
- 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 the Trademark.

A. Trademark Application No.(s)

76/279,476

B. Trademark Registration No.(s)

2,837,438; 2,943,124; 2,865,448

Additional sheet(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: Deborah Taylor

Internal Address: c/o Latham & Watkins LLP

Street Address: 633 West Fifth St., Suite 4000

City: Los Angeles

State: CA Zip: 90071

Phone Number: 213-485-1234

Fax Number: 213-891-8763

Email Address: deborah.taylor@lw.com

6. Total number of applications and registrations involved:

4

7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ 115.00

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

8. Payment Information:

a. Credit Card Last 4 Numbers \_\_\_\_\_  
Expiration Date \_\_\_\_\_

b. Deposit Account Number \_\_\_\_\_  
Authorized User Name \_\_\_\_\_

9. Signature:

Deborah Taylor  
Signature

September 30, 2005  
Date

Deborah Taylor  
Name of Person Signing

Total number of pages including cover sheet, attachments, and document: 4

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:  
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

Release of Lien on Trademarks

This Release of Lien on Trademarks (the "Release"), date as of September 29, 2005 is made by Fleet National Bank ("Bank") as agent ("Agent") for the lenders party to the Loan Agreement, dated as of December 28, 2001, among the financial institutions party thereto and the Agent, in favor of Kuilima Resort Company. ("Grantor").

WHEREAS, Grantor entered into a Security Agreement dated as of December 28, 2001 and recorded in the United States Patent and Trademark Office as of February 1, 2002 at Reel 2435, Frame 0464, pursuant to which Grantor granted to the Bank a security interest in and lien on all right, title and interest of the Grantor in certain trademarks, including the trademark registrations and applications set forth on Schedule A attached hereto (the "Released Trademarks") to secure the performance of certain obligations (the "Obligations");

WHEREAS, the Obligations have now been satisfied, Grantor has requested that the Bank release any and all interest it may have in the Released Trademarks, and the Bank has agreed to do so.

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, the Bank does hereby release, relinquish and discharge its security interest in, to and under the Released Trademarks.

IN WITNESS WHEREOF, the Bank has caused this Release to be duly executed and delivered by its officer thereunto duly authorized as of the date hereinabove set forth.

By: Allison M. Gauthier  
Name: ALLISON M. GAUTHIER  
Title: SVP



**SCHEDULE A**

<b><u>Trademark of Service Mark</u></b>	<b><u>Registration or Application Number</u></b>
"Turtle Bay Resort"	2,837,438
"Turtle Bay Resort"	2,943,124
"Turtle Bay Resort" and design	2,865,448
"Turtle Bay Resort" and design	76/279476