

## 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
BNP Paribas		07/31/2006	CORPORATION:
RECEIVING PARTY DATA			
Name:	Eight O'Clock Coffee Company		
Street Address:	3 Paragon Drive, 2nd Floor		
City:	Montvale		
State/Country:	NEW JERSEY		
Postal Code:	07645		
Entity Type:	CORPORATION: DELAWARE		
PROPERTY NUMBERS Total: 4			
Property Type	Number	Word Mark	
Registration Number:	1409722	EIGHT O'CLOCK	
Registration Number:	2695574	EIGHT O'CLOCK COFFEE ROYALE	
Registration Number:	1409723	BOKAR	
Registration Number:	2931238	EIGHT O'CLOCK	
CORRESPONDENCE DATA			
Fax Number:	(404)685-5137		
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>			
Phone:	404-815-2137		
Email:	lashanajimmar@paulhastings.com		
Correspondent Name:	LaShana C. Jimmar, Sr. Paralegal		
Address Line 1:	600 Peachtree Street, NE		
Address Line 4:	Atlanta, GEORGIA 30308		
NAME OF SUBMITTER:	LaShana C. Jimmar		
Signature:	/LaShana C. Jimmar/		

CH \$115.00 1409722

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TRADEMARK  
REEL: 003361 FRAME: 0293

Date:

08/02/2006

Total Attachments: 2

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## NOTICE OF RELEASE OF SECURITY INTEREST IN TRADEMARKS

This NOTICE OF RELEASE OF SECURITY INTEREST IN TRADEMARKS is made as of July 31, 2006 by BNP Paribas, as the Administrative Agent on behalf and for the benefit of itself, the Lenders and the other Secured Parties as such capitalized terms are defined in the Security Agreement (defined below) (in such capacity, the "Assignee") for the benefit of Eight O'Clock Coffee Company, a Delaware corporation (the "Assignor").

WHEREAS, the Assignor granted to the Assignee a security interest in all of the Assignor's right, title and interest in and to the trademarks and trademark applications described on Exhibit A attached hereto (collectively referred to herein as the "Trademarks") together with all goodwill of the business connected with the use of, and symbolized by, each such Trademark, and the proceeds thereof (collectively, the "Trademark Collateral"), pursuant to and under that (a) Security Agreement dated as of November 21, 2003 (as subsequently amended and restated, the "Security Agreement") and (b) Grant of Security Interest (Trademarks, Service Marks and Trade Names) dated as of November 21, 2003 (as subsequently amended and restated, the "Grant of Security Interest in Trademarks"), each between the Assignor and the Assignee, the Grant of Security Interest in Trademarks having been recorded with the U.S. Patent and Trademark Office on December 17, 2003 at Reel Number 2765 and Frame Number 0143, and

WHEREAS, the Assignor having paid in full the Secured Obligations, as such term is defined in the Security Agreement and used in the Grant of Security Interest in Trademarks, for which the Trademark Collateral was collateral security.

NOW THEREFORE, the Assignee does hereby give notice and confirm that has relinquished, released and discharged its security interest in the Trademarks and the other Trademark Collateral and the Grant of Security Interest in Trademarks is hereby deemed terminated.

IN WITNESS WHEREOF, the Assignee has caused this Notice of Release of Security Interest in Trademarks to be duly executed.

BNP Paribas, as Assignee

By:

Name:

Title:

Kristine E. Lopic  
Kristine E. Lopic

Vice President

By:

Name:

Title:

SUSAN M. BOWES  
SUSAN M. BOWES

DIRECTOR

Address: One Front Street, 23<sup>rd</sup> Floor, San Francisco, CA 94111-5325

## EXHIBIT A

### U.S. TRADEMARKS

REGISTRATION NO.	MARK	REGISTRATION DATE
1,409,722	EIGHT O'CLOCK	September 16, 1986
2,695,574	EIGHT O'CLOCK COFFEE ROYALE	March 11, 2003
1,409,723	BOKAR	September 16, 1986
2,931,238	EIGHT O'CLOCK	March 8, 2005