

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

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|------------------------------|-------------------|
| SUBMISSION TYPE: | NEW ASSIGNMENT |
| NATURE OF CONVEYANCE: | SECURITY INTEREST |

CONVEYING PARTY DATA

| Name | Formerly | Execution Date | Entity Type |
|-----------------------------------|----------|----------------|-------------------------------------|
| MARBLE SLAB FRANCHISE BRANDS, LLC | | 11/09/2007 | LIMITED LIABILITY COMPANY: DELAWARE |

RECEIVING PARTY DATA

| | |
|--------------------------|--------------------------|
| Name: | BTMU CAPITAL CORPORATION |
| Street Address: | 111 Huntington Avenue |
| Internal Address: | Suite 400 |
| City: | Boston |
| State/Country: | MASSACHUSETTS |
| Postal Code: | 02199-8001 |
| Entity Type: | CORPORATION: DELAWARE |

PROPERTY NUMBERS Total: 16

| Property Type | Number | Word Mark |
|----------------------|---------|-------------------------------------|
| Registration Number: | 2965318 | CREATE YOUR OWN ICE CREAM FANTASY |
| Registration Number: | 2464391 | ICE CREAM JUST THE WAY YOU LIKE IT |
| Registration Number: | 1351081 | MARBLE SLAB CREAMERY |
| Registration Number: | 2903406 | MARBLE SLAB CREAMERY |
| Registration Number: | 3217441 | MARBLE SLAB CREAMERY |
| Registration Number: | 2925107 | MARBLE SLAB CREAMERY |
| Registration Number: | 3217442 | MARBLE SLAB CREAMERY |
| Registration Number: | 2609653 | MARBLE SLAB CREAMERY |
| Registration Number: | 2230020 | MARBLE SLAB CREAMERY |
| Registration Number: | 2176582 | SCOOP DU JOUR |
| Registration Number: | 2900188 | SLABBY |
| Registration Number: | 3111858 | SLABWICH |
| Registration Number: | 2965319 | THE MARBLE SLAB CREAMERY EXPERIENCE |

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| Registration Number: | 2169465 | THE ONE. THE ONLY. THE ORIGINAL. |
| Registration Number: | 2489736 | THE SLAB CLUB |
| Serial Number: | 78943377 | THE FRESHEST ICE CREAM ON EARTH |

CORRESPONDENCE DATA

Fax Number: (212)310-1600
Correspondence will be sent via US Mail when the fax attempt is unsuccessful.
Phone: 212-626-4100
Email: NYCTrademarks@bakernet.com
Correspondent Name: Julia R. Talke
Address Line 1: 1114 Avenue of the Americas
Address Line 4: New York, NEW YORK 10036

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|-------------------------|----------------------|
| ATTORNEY DOCKET NUMBER: | 56199415-2MARBLESLAB |
| NAME OF SUBMITTER: | Julia R. Talke |
| Signature: | /jrt/ |
| Date: | 11/09/2007 |

Total Attachments: 3
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CONFIRMATION OF SECURITY INTEREST IN U.S. TRADEMARKS

KNOW ALL MEN BY THESE PRESENTS:

THAT, BTMU CAPITAL CORPORATION, pursuant to a Security Agreement and Security Agreement Supplement dated as of November 8, 2007 executed by BTMU Capital Corporation, NexCen Holding Corporation (f/k/a NexCen Acquisition Corp.), Marble Slab Franchise Brands, LLC and Marble Slab Franchising, LLC, has acquired a security interest in the U.S. trademarks, and the goodwill associated therewith, owned by MARBLE SLAB FRANCHISE BRANDS, LLC, including without limitation the trademark registrations and application listed on Exhibit A attached hereto and by filing of this instrument with the U.S. Patent and Trademark Office, MARBLE SLAB FRANCHISE BRANDS, LLC hereby confirms the valid and binding nature of the aforementioned security interest.

MARBLE SLAB FRANCHISE
BRANDS, LLC

DATED: November 9, 2007

By: 
Name: David B. Meister
Title: Secretary & Treasurer

Address: 1330 Avenue of the Americas
New York, New York 10019

EXHIBIT A

Marble Slab Franchise Brands, LLC

| File No. | Trademark | Status | Country | Registration No. | Registrations Date |
|-----------------|---|---------------|----------------|-------------------------|---------------------------|
| 78/427,923 | CREATE YOUR OWN ICE CREAM FANTASY | REGISTERED | UNITED STATES | 2965318 | 05-Jul-05 |
| 75/692,739 | ICE CREAM JUST THE WAY YOU LIKE IT | REGISTERED | UNITED STATES | 2464391 | 26-Jun-01 |
| 73/496,108 | MARBLE SLAB CREAMERY | REGISTERED | UNITED STATES | 1351081 | 23-Jul-85 |
| 78/314,149 | MARBLE SLAB CREAMERY | REGISTERED | UNITED STATES | 2903406 | 16-Nov-04 |
| 78/821,749 | MARBLE SLAB CREAMERY | REGISTERED | UNITED STATES | 3217441 | 13-Mar-07 |
| 78/314,174 | MARBLE SLAB CREAMERY & Design | REGISTERED | UNITED STATES | 2925107 | 08-Feb-05 |
| 78/821,752 | MARBLE SLAB CREAMERY & Design | REGISTERED | UNITED STATES | 3217442 | 13-Mar-07 |
| 76/318,694 | MARBLE SLAB CREAMERY (miscellaneous design) | REGISTERED | UNITED STATES | 2609653 | 20-Aug-02 |
| 75/295,262 | MARBLE SLAB CREAMERY (round logo) | REGISTERED | UNITED STATES | 2230020 | 09-Mar-99 |
| 75/295,098 | SCOOP DU JOUR | REGISTERED | UNITED STATES | 2176582 | 28-Jul-98 |
| 76/318,693 | SLABBY | REGISTERED | UNITED STATES | 2900188 | 02-Nov-04 |
| 78/669,895 | SLABWICH | REGISTERED | UNITED STATES | 3111858 | 04-Jul-06 |
| 78/427,927 | THE MARBLE SLAB CREAMERY EXPERIENCE | REGISTERED | UNITED STATES | 2965319 | 05-Jul-05 |
| 75/295,111 | THE ONE. THE ONLY. THE ORIGINAL. | REGISTERED | UNITED STATES | 2169465 | 30-Jun-98 |
| 75/401,225 | THE SLAB CLUB | REGISTERED | UNITED STATES | 2489736 | 18-Sep-01 |

| File No. | Trademark | Status | Country | Registration No. | Registrations Date |
|-----------------|------------------------------------|---------------|----------------|-------------------------|---------------------------|
| 78/943,377 | THE FRESHEST ICE CREAM ON EARTH | Pending | UNITED STATES | | |