

## 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
Wachovia Bank, National Association		03/31/2008	National Association: UNITED STATES
RECEIVING PARTY DATA			
Name:	Fresh Express Incorporated		
Street Address:	950 E. Blanco Road		
City:	Salinas		
State/Country:	CALIFORNIA		
Postal Code:	93912		
Entity Type:	CORPORATION: DELAWARE		
PROPERTY NUMBERS Total: 3			
Property Type	Number	Word Mark	
Registration Number:	2036587	TRANSFRESH	
Registration Number:	2720662	TECTROL	
Registration Number:	2363302	FRESH EXPRESS	
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:	Paul, Hastings, Janofsky & Walker LLP		
Address Line 2:	600 Peachtree Street, N.E., Suite 2400		
Address Line 4:	ATLANTA, GEORGIA 30308		
NAME OF SUBMITTER:	LaShana C. Jimmar		
Signature:	/LaShana C. Jimmar/		

CH \$90.00 2036587

900103058

TRADEMARK  
REEL: 003750 FRAME: 0426

Date:

04/01/2008

**Total Attachments: 3**

source=Trademark Release (Fresh Express Inc.)#page1.tif

source=Trademark Release (Fresh Express Inc.)#page2.tif

source=Trademark Release (Fresh Express Inc.)#page3.tif

## **RELEASE OF SECURITY INTEREST IN TRADEMARKS**

THIS RELEASE dated March 31, 2008 (this "Release") is made by Wachovia Bank, National Association, with a place of business at 301 South College Street, One Wachovia Center, Charlotte, NC 28288 (the "Secured Party") of a Trademark Security Agreement dated June 28, 2005 and recorded on December 9, 2005 in the records of the United States Patent and Trademark Office Assignment Branch at Trademark Reel/Frame 3207/0746 (the "Security Agreement"), between the Secured Party as Collateral Agent and Fresh Express Incorporated, a Delaware corporation, as a grantor and the other persons party thereto as grantors (each a "Grantor" and collectively, the "Grantors").

### **WITNESSETH:**

WHEREAS, pursuant to the Trademark Security Agreement, each Grantor granted to the Secured Party, on behalf of itself and as agent for certain other lenders, a security interest in certain of such Grantor's United States trademarks and trademark applications and registrations and, in particular, certain trademarks set forth on the attached Schedule A (the "Trademarks"); and

WHEREAS, the Secured Party wishes to: (i) release all of its security interest covering the Trademarks; (ii) restore all right, title, and interest in and to the Trademarks to such Grantor; and (iii) dissolve any and all liens and encumbrances respecting the Trademarks.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the Secured Party does hereby release its security interest in the Trademarks, and discharges, quit claims and relinquishes unto each Grantor (in each case without recourse and without representation or warranty) any and all rights, title and interest it has in and to the Trademarks.

IN WITNESS WHEREOF, the Secured Party has caused this Release to be duly executed and delivered by its officer thereunto duly authorized as of the date and year first written above.

**WACHOVIA BANK,  
NATIONAL ASSOCIATION**

By: 

Name: \_\_\_\_\_

Mark S. Supple

Title: \_\_\_\_\_

Vice President

Pennsylvania  
STATE OF NORTH CAROLINA )  
COUNTY OF Philadelphia )

Before me, the undersigned authority, personally appeared Mark S. Supple  
known to me to be the person whose name is subscribed to the foregoing instrument  
and acknowledged to me that she executed the same for the purposes and  
consideration therein expressed, on this 28th day of MARCH, 2008.

Barbara J. Gonzales  
NOTARY PUBLIC IN AND FOR THE  
STATE OF NORTH CAROLINA  
Pennsylvania

1477765v1

**SCHEDULE A**

	Reg./Ser. No.	Date of Recordal	Mark	Owner
1.	2036587	12/09/05	TRANSFRESH	Transfresh Corp.
2.	2720662	12/09/05	TECTROL	Transfresh Corp.
3.	2363302	12/09/05	FRESH EXPRESS	Fresh Express Incorporated

1477868\_1