

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
Bank of America, N.A.		01/12/2009	National banking association: UNITED STATES
RECEIVING PARTY DATA			
Name:	Einstein/Noah Bagel Corp.		
Street Address:	1687 COLE BLVD.		
City:	GOLDEN		
State/Country:	COLORADO		
Postal Code:	80401		
Entity Type:	CORPORATION: DELAWARE		
PROPERTY NUMBERS Total: 2			
Property Type	Number	Word Mark	
Registration Number:	2221552	EVERCOTE	
Registration Number:	2211552		
CORRESPONDENCE DATA			
Fax Number:	(214)981-3400		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
Phone:	214-981-3483		
Email:	dclark@sidley.com		
Correspondent Name:	Dusan Clark, Esq.		
Address Line 1:	Sidley Austin LLP		
Address Line 2:	717 N. Harwood St., Suite 3400		
Address Line 4:	Dallas, TEXAS 75201		
ATTORNEY DOCKET NUMBER:	27729-10010		
NAME OF SUBMITTER:	Dusan Clark		
Signature:	/Dusan Clark/		

CH \$65.00 2221552

Date:

01/14/2009

Total Attachments: 2

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RELEASE OF TRADEMARK SECURITY INTEREST

THIS RELEASE OF TRADEMARK SECURITY INTEREST ("Release") is made effective as of January 12, 2009, by Bank of America, N.A. (the "Agent") to Einstein/Noah Bagel Corp., (the "Borrower"), as follows:

WHEREAS, on January 31, 2000, the Borrower and the Agent entered into an Amended and Restated Trademark Security Agreement ("Security Agreement");

WHEREAS, pursuant to said Security Agreement, the Borrower granted to the Agent on behalf of the Lenders, among other collateral, a continuing security interest in all of the Borrower's right, title and interest, including goodwill, in, to and under its United States Trademarks, including the trademark listed on the attached Schedule A (the "Mark"); and

WHEREAS, said Security Agreement was recorded in the United States Patent & Trademark Office on March 1, 2000 at reel/frame 2042/0276.

NOW THEREFORE, as the Borrower has satisfied its obligations under said Security Agreement, the Agent hereby releases its security interest in and lien upon the Mark, and reassigns any and all interest it may have in the Mark to the Borrower.

IN WITNESS WHEREOF, the Agent has caused this Release to be executed by its duly authorized officer.

BANK OF AMERICA, N.A.

By: Charlene Wright-Jones


Name: Charlene Wright-Jones
Assistant Vice President

Title: _____

SCHEDULE A

SECURITY INTEREST IN TRADEMARKS RECORDED AT

REEL 2042/ FRAME 0276

MARK	SERIAL NO.	DATE FILED	REG. NO.	DATE REG.
Design only 	75177997	October 7, 1996	2211552 (misrecorded under 2221552)	December 15, 1998