

**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.		06/03/2010	a national banking association: UNITED STATES

**RECEIVING PARTY DATA**

Name:	WILD MARKS, INC.
Street Address:	550 Bowie Street
City:	Austin
State/Country:	TEXAS
Postal Code:	78703
Entity Type:	CORPORATION: TEXAS

**PROPERTY NUMBERS Total: 39**

Property Type	Number	Word Mark
Registration Number:	2713084	
Registration Number:	2717070	
Registration Number:	2761788	BIRDLAND
Registration Number:	2988235	COCOA CLOUDS
Registration Number:	2908722	DISCOVER THE TASTE OF NATURAL AND ORGANIC
Registration Number:	2906791	DISCOVER THE WORLD OF NATURAL AND ORGANIC
Registration Number:	3036653	FLAX 500
Registration Number:	2902434	FOOD ORIGINS
Registration Number:	2867290	FOOD THAT REMEMBERS ITS ROOTS
Registration Number:	2953689	GLORIOUS GRAINS
Registration Number:	2982456	HONEY OAT NUGGETS
Registration Number:	2990613	JUST WHEATS
Registration Number:	3050845	NATURAL INGREDIENTS
Registration Number:	2830530	NATURAL KNOWLEDGE

OP \$990.00 2713084

**900164775**

**TRADEMARK  
 REEL: 004225 FRAME: 0792**

Registration Number:	3152457	NATURES - A WILD OATS MARKET
Registration Number:	2982206	NUTRITION FOR EVERYDAY LIVING
Registration Number:	2980263	OAT RINGS
Registration Number:	3115446	ORGANIC TATER BITES
Registration Number:	2771882	PASS THE PEACE
Registration Number:	3014904	PERFORMANCE
Registration Number:	3008944	RAKE DANCE
Registration Number:	2805499	RESOLVE TO EVOLVE
Registration Number:	2729236	SPHINX SPELT
Registration Number:	2734836	SWINGIN' SOURDOUGH
Registration Number:	3044342	WE READ THE LABELS SO YOU DON'T HAVE TO
Registration Number:	2766719	WE SELL FOOD THAT REMEMBERS ITS ROOTS
Registration Number:	2811329	WE SELL FOOD THAT REMEMBERS ITS ROOTS
Registration Number:	3030745	WILD BUCKS
Registration Number:	3212221	WILD BUY
Registration Number:	2011618	WILD CAFE
Registration Number:	2739702	WILD OASIS
Registration Number:	2990840	WILD OATS
Registration Number:	1976628	WILD OATS
Registration Number:	3060428	WILD OATS
Registration Number:	2993573	WILD OATS
Registration Number:	2741754	WILD OATS
Registration Number:	1828703	WILD OATS COMMUNITY MARKET
Registration Number:	3017735	WILD OATS NATURAL MARKETPLACE
Registration Number:	3017734	WILD OATS NATURAL MARKETPLACE

**CORRESPONDENCE DATA**

Fax Number: (214)922-4170  
*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*  
Email: rcain@hallettperrin.com  
Correspondent Name: Bruce H. Hallett  
Address Line 1: 2001 Bryan Street  
Address Line 2: Suite 3900  
Address Line 4: Dallas, TEXAS 75201

ATTORNEY DOCKET NUMBER:	WHOLE FOODS
NAME OF SUBMITTER:	Bruce H. Hallett

Signature:	/Bruce H. Hallett/
Date:	06/16/2010
Total Attachments: 12 source=_0616103258_001#page1.tif source=_0616103258_001#page2.tif source=_0616103258_001#page3.tif source=_0616103258_001#page4.tif source=_0616103258_001#page5.tif source=_0616103258_001#page6.tif source=_0616103258_001#page7.tif source=_0616103258_001#page8.tif source=_0616103258_001#page9.tif source=_0616103258_001#page10.tif source=_0616103258_001#page11.tif source=_0616103258_001#page12.tif	

**TERMINATION AND  
RELEASE OF TRADEMARK SECURITY AGREEMENT**

This Termination and Release of Trademark Security Agreement (this "Release") is dated as of June 3, 2010, by and between **BANK OF AMERICA, N.A.**, a national banking association ("Lender") and **WILD MARKS, INC.**, a Nevada corporation ("Grantor").

WHEREAS, Grantor granted to Lender a security interest in and lien on, and collaterally assigned to Lender, all of the trademarks, trademark applications and trademark registrations and associated goodwill, to the trademarks listed on Schedule A attached hereto and incorporated herein by reference (the "Trademarks"); and

WHEREAS, on August 27, 2007, Lender agreed to terminate and release its security interest and all of its right, title and interest in each of the Trademarks as herein provided; and

WHEREAS, notice of such release has not previously been recorded in the U.S. Patent and Trademark Office;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Lender and Grantor hereby agree as follows:

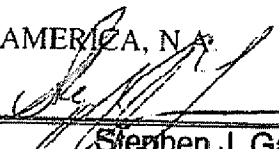
1. Release and Assignment. Lender hereby further evidences its termination and release of any and all security interests in and liens on the Trademarks, and Lender hereby assigns and transfers to the Grantor, without recourse, all of Lender's right, title and interest in and to each of the Trademarks and the related trademark applications, trademark registrations and goodwill, effective as of the date set forth above.
2. Acknowledgement. The Grantor hereby acknowledges and accepts the foregoing release and assignment by Lender.
3. Counterparts. This Release may be executed in any number of counterparts which shall together constitute one and the same agreement.

*[signature page follows]*

IN WITNESS WHEREOF, Lender and Grantor have executed this Release as of June 3, 2010 but effective as of August 27, 2007.


**LENDER:**

BANK OF AMERICA, N.A.

By:   
Name: Stephen J. Garvin  
Title: Managing Director  
Bank of America, N.A.

**GRANTOR:**



WILD MARKS, INC.

By:   
Name: ROBERTA LANG  
Title: PRESIDENT

#321972v1

SCHEDULE A


**Trademarks**

Owner	MARK	Filing Date	Register Date	Serial Number	Registration Number	Assignment	Live/Dead
Wild Marks, Inc	Wild Oats Logo 	February 25, 2002	May 6, 2003	76376483	2713084	Assignee: Wells Fargo Bank: Recorded: March 3, 2003;  Assignee: Bank of America N A.: Recorded: April 19, 2005	Live
Wild Marks, Inc	Wild Oats with Ground Logo 	July 2, 2001	May 20, 2003  Cancelled: December 26, 2009	76280125	2717070	Assignee: Wells Fargo Bank, N A. (as administrative agent) Recorded: October 24, 2001;  Assignee: Bank of America N A.: Recorded: April 19, 2005	Dead
Wild Marks, Inc	BIRDLAND	July 15, 2002	September 9, 2003	78143854	2761788	Assignee: Wells Fargo Bank: Recorded: March 3, 2003;  Assignee: Bank of America N A.: Recorded: April 19, 2005	Live
Wild Marks, Inc	COCOA CLOUDS	February 12, 2004	August 23, 2005	78366791	2988235	Assignee: Wells Fargo Bank, N.A. (as administrative agent) Recorded: January 3, 2005;  Assignee: Bank of America N A.: Recorded: April 19, 2005	Live

Owner	MARK	Filing Date	Register Date	Serial Number	Registration Number	Assignment	Live/Dead
Wild Marks, Inc.	DISCOVER THE TASTE OF NATURAL AND ORGANIC	December 1, 2003	December 7, 2004	78334718	2908722	Assignee: Wells Fargo Bank, N A. (as administrative agent) Recorded: January 3, 2005;  Assignee: Bank of America, N A Recorded: April 19, 2005	Live
Wild Marks, Inc.	DISCOVER THE WORLD OF NATURAL AND ORGANIC	December 1, 2003	November 30, 2004	78334681	2906791	Assignee: Wells Fargo Bank, N A. (as administrative agent) Recorded: January 3, 2005;  Assignee: Bank of America, N A. Recorded: April 19, 2005	Live
Wild Marks, Inc.	FLAX 500	February 12, 2004	December 27, 2005	78366761	3036653	Assignee: Wells Fargo Bank, N A (as administrative agent) Recorded: January 3, 2005;  Assignee: Bank of America, N A Recorded: April 19, 2005	Live
Wild Marks, Inc.	FOOD ORIGINS	May 9, 2003	November 9, 2004	78247912	2902434	Assignee: Wells Fargo Bank, N A (as administrative agent) Recorded: January 3, 2005;  Assignee: Bank of America, N A. Recorded: April 19, 2005	Live

Owner	MARK	Filing Date	Register Date	Serial Number	Registration Number	Assignment	Live/Dead
Wild Marks, Inc	FOOD THAT REMEMBERS ITS ROOTS	February 5, 2002	July 27, 2004	76367780	2867290	Assignee: Wells Fargo Bank: Recorded: March 3, 2003;  Assignee: Bank of America N A : Recorded: April 19, 2005	Live
Wild Marks, Inc	GLORIOUS GRAINS	November 11, 2003	May 17, 2005	78325951	2953689	Assignee: Wells Fargo Bank, N A. (as administrative agent) Recorded: January 3, 2005;  Assignee: Bank of America N A : Recorded: April 19, 2005	Live
Wild Marks, Inc	HONEY OAT NUGGETS	May 11, 2004	August 2, 2005	78416877	2982456	Assignee: Wells Fargo Bank, N A. (as administrative agent) Recorded: January 3, 2005;  Assignee: Bank of America N A. : Recorded: April 19, 2005	Live
Wild Marks, Inc	JUST WHEATS	March 9, 2004	August 30, 2005	78381237	2990613	Assignee: Wells Fargo Bank, N A. (as administrative agent) Recorded: January 3, 2005;  Assignee: Bank of America, N A : Recorded: April 19, 2005	Live




Owner	MARK	Filing Date	Register Date	Serial Number	Registration Number	Assignment	Live/Dead
Wild Marks, Inc	NATURAL INGREDIENTS and Design 	March 7, 2005	January 24, 2006	78581347	3050845	Assignee: Bank of America, N A Recorded: April 19, 2005	Live
Wild Marks, Inc	NATURAL KNOWLEDGE	February 20, 2002	April 6, 2004	76373797	2830530	Assignee: Wells Fargo Bank Recorded: March 3, 2003  Assignee: Bank of America, N.A.: Recorded: April 19, 2005	Live
Wild Marks, Inc	NATURES – A WILD OATS MARKET	April 26, 2002	October 10, 2006	76401070	3152457	Assignee: Wells Fargo Bank Recorded: March 3, 2003;  Assignee: Bank of America, N.A.: Recorded: April 19, 2005	Live
Wild Marks, Inc	NUTRITION FOR EVERYDAY LIVING	February 20, 2004	August 2, 2005	78371650	2982206	Assignee: Wells Fargo Bank, N A (as administrative agent) Recorded: January 3, 2005;  Assignee: Bank of America, N A.: Recorded: April 19, 2005	Live



Owner	MARK	Filing Date	Register Date	Serial Number	Registration Number	Assignment	Live/Dead
Wild Marks, Inc	OAT RINGS	February 12, 2004	July 26, 2005	78366833	2980263	Assignee: Wells Fargo Bank, N A (as administrative agent) Recorded: January 3, 2005;  Assignee: Bank of America, N A : Recorded: April 19, 2005	Live
Wild Marks, Inc	ORGANIC TATER BITES	September 13, 2004	July 11, 2006	78482611	3115446	Assignee: Wells Fargo Bank, N A (as administrative agent) Recorded: January 3, 2005;  Assignee: Bank of America, N.A : Recorded: April 19, 2005	Live
Wild Marks, Inc	PASS THE PEACE	December 18, 2002	October 7, 2003	78195783	2771882	Assignee: Wells Fargo Bank Recorded: March 3, 2003;  Assignee: Bank of America, N.A : Recorded: April 19, 2005	Live
Wild Marks, Inc	PERFORMANCE	September 29, 2003	November 15, 2005	78306642	3014904	Assignee: Wells Fargo Bank, N.A. (as administrative agent) Recorded: January 3, 2005;  Assignee: Bank of America, N.A. Recorded: April 19, 2005	Live

Owner	MARK	Filing Date	Register Date	Serial Number	Registration Number	Assignment	Live/Dead
Wild Marks, Inc	RAKE DANCE	September 13, 2004	October 25, 2005	78482350	3008944	Assignee: Wells Fargo Bank, N A (as administrative agent) Recorded: January 3, 2005;  Assignee: Bank of America, N.A. Recorded: April 19, 2005	Live
Wild Marks, Inc	RESOLVE TO EVOLVE	February 20, 2002	January 13, 2004	76373793	2805499	Assignee: Wells Fargo Bank Recorded: March 3, 2003;  Assignee: Bank of America, N.A. Recorded: April 19, 2005	Live
Wild Marks, Inc	SPHINX SPELT	July 15, 2002	June 24, 2003	78143859	2729236	Assignee: Wells Fargo Bank Recorded: March 3, 2003;  Assignee: Bank of America, N.A. Recorded: April 19, 2005	Live
Wild Marks, Inc	SWINGIN' SOURDOUGH	July 15, 2002	July 8, 2003	78143873	2734836	Assignee: Wells Fargo Bank Recorded: March 3, 2003;  Assignee: Bank of America, N A Recorded: April 19, 2005	Live

Owner	MARK	Filing Date	Register Date	Serial Number	Registration Number	Assignment	Live/Dead
Wild Marks, Inc	WE READ THE LABELS SO YOU DON'T HAVE TO	July 28, 2003	January 17, 2006	78279503	3044342	Assignee: Wells Fargo Bank, N.A. (as administrative agent) Recorded: January 3, 2005;  Assignee: Bank of America, N.A. Recorded: April 19, 2005	Live
Wild Marks, Inc	WE SELL FOOD THAT REMEMBERS ITS ROOTS	February 5, 2002	September 23, 2003	76975340	2766719	Assignee: Wells Fargo Bank, N.A. (as administrative agent) Recorded: January 3, 2005;  Assignee: Bank of America, N.A. Recorded: April 19, 2005	Live
Wild Marks, Inc	WE SELL FOOD THAT REMEMBERS ITS ROOTS	February 5, 2002	February 3, 2004	76367785	2811329	Assignee: Wells Fargo Bank Recorded: March 3, 2003;  Assignee: Bank of America, N.A. Recorded: April 19, 2005	Live
Wild Marks, Inc	WILD BUCKS	January 31, 2005	December 13, 2005	78557262	3030745	Assignee: Bank of America, N.A. Recorded: April 19, 2005	Live

Owner	MARK	Filing Date	Register Date	Serial Number	Registration Number	Assignment	Live/Dead
Wild Marks, Inc	WILD BUY	July 26, 2004	February 27, 2007	78456816	3212221	Assignee: Wells Fargo Bank, N A. (as administrative agent) Recorded: January 3, 2005;  Assignee: Bank of America, N.A. Recorded: April 19, 2005	Live
Wild Marks, Inc	WILD CAFE	June 19, 1995	October 29, 1996	74689757	2011618	Assignee: Wells Fargo Bank Recorded: March 3, 2003;  Assignee: Bank of America, N.A. Recorded: April 19, 2005	Live
Wild Marks, Inc	WILD OASIS	January 24, 2002	July 22, 2003	76363239	2739702	Assignee: Wells Fargo Bank Recorded: March 3, 2003;  Assignee: Bank of America, N A Recorded: April 19, 2005	Live
Wild Marks, Inc	WILD OATS	July 2, 2001	September 6, 2005	76279752	2990840	Assignee: Wells Fargo Bank, N A. (as administrative agent) Recorded: October 24, 2001;  Assignee: Bank of America, N A. Recorded: April 19, 2005	Live

Owner	MARK	Filing Date	Register Date	Serial Number	Registration Number	Assignment	Live/Dead
Wild Marks, Inc	WILD OATS	June 19, 1995	May 28, 1996	74689758	1976628	Assignee: Wells Fargo Bank, N.A. (as administrative agent) Recorded: October 24, 2001;  Assignee: Bank of America, N.A. Recorded: April 19, 2005	Live
Wild Marks, Inc	WILD OATS (Black and White Stylized) <b>WILD OATS</b>	March 9, 2005	February 21, 2006	78583321	3060428	Assignee: Bank of America, N.A. Recorded: April 19, 2005	Live
Wild Marks, Inc	WILD OATS (Script) <i>Wild Oats</i>	July 2, 2001	September 13, 2005	76279751	2993573	Assignee: Wells Fargo Bank, N.A. (as administrative agent) Recorded: October 24, 2001;  Assignee: Bank of America, N.A. Recorded: April 19, 2005	Live
Wild Marks, Inc	WILD OATS and Design 	April 7, 2000	July 29, 2003	76975226	2741754	Assignee: Wells Fargo Bank, N.A. (as administrative agent) Recorded: January 3, 2005;  Assignee: Bank of America, N.A. Recorded: April 19, 2005	Live

Owner	MARK	Filing Date	Register Date	Serial Number	Registration Number	Assignment	Live/Dead
Wild Marks, Inc	WILD OATS COMMUNITY MARKET	July 6, 1993	March 29, 1994	74409643	1828703	Assignee: Wells Fargo Bank, N A (as administrative agent) Recorded: October 24, 2001;  Assignee: Bank of America, N.A. Recorded: April 19, 2005	Live
Wild Marks, Inc	WILD OATS NATURAL MARKETPLACE (stylized)  	September 8, 2004	November 22, 2005	78480404	3017735	Assignee: Wells Fargo Bank, N A (as administrative agent) Recorded: January 3, 2005;  Assignee: Bank of America, N.A. Recorded: April 19, 2005	Live
Wild Marks, Inc	WILD OATS NATURAL MARKETPLACE and Sparky Design  	September 8, 2004	November 22, 2005	78480397	3017734	Assignee: Wells Fargo Bank, N A (as administrative agent) Recorded: January 3, 2005;  Assignee: Bank of America, N.A. Recorded: April 19, 2005	Live