



11-08-2001

U.S. Department of Commerce
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PATENT



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Document ID#
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Reel # Frame #
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Conveyance Type

☐ Assignment ☐ Security Agreement
☐ License ☐ Change of Name
☐ Merger ☒ Other Termination and Release
U.S. Government
(For Use ONLY by U.S. Government Agencies)
☐ Departmental File ☐ Secret File

Conveying Party(ies)

☐ Mark if additional names of conveying parties attached
Execution Date
Month Day Year
July 27 2001

Second Party

Name (line 1)
Name (line 2)
Execution Date
Month Day Year

Receiving Party

☐ Mark if additional names of receiving parties attached
Name (line 1) Burns Philip Food Inc.
Name (line 2)
Address (line 1) 230 Larkin Williams Industrial Court
Address (line 2)
Address (line 3) Fenton MO 63026
City State/Country Zip Code
☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name
Address (line 1)
Address (line 2)
Address (line 3)
Address (line 4)

11/07/2001 DBYRNE 00000042 5749478
01 RC:581 40.00 DP

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Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

PATENT
REEL: 012295 FRAME: 0397

Correspondent Name and Address

Area Code and Telephone Number

Name Rupal Shah Palanki c/o Bingham Dana, LLP

Address (line 1) One State Street

Address (line 2) Hartford, CT 06103

Address (line 3)

Address (line 4)

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

4

Application Number(s) or Patent Number(s)

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

5749478

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

Patent Cooperation Treaty (PCT)

Enter PCT application number
only if a U.S. Application Number
has not been assigned.

PCT

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Number of Properties

Enter the total number of properties involved.

1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$ 40

Method of Payment:
Deposit Account

Enclosed ☐ Deposit Account ☐

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

Authorization to charge additional fees:

Yes ☐ No ☐

Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

William E. Kelly

Name of Person Signing

William E. Kelly

Signature

November 2, 2001
Date



TERMINATION AND RELEASE OF SECURITY INTEREST IN PATENTS

Burns Philp Food Inc.

TERMINATION AND RELEASE OF SECURITY INTEREST IN PATENTS, dated as of July 27, 2001, by **THE CHASE MANHATTAN BANK**, as Co-Trustee under a certain Security Trust Deed dated July 28, 1998 among it, Burns Philp & Company Limited and Chase Securities Australia Ltd. (together with its successors and assigns, the "**Security Trustee**") in favor of **BURNS PHILP FOOD INC.**, a California corporation, with a principal place of business at 230 Larkin Williams Industrial Court, Fenton, Missouri 63026 ("**BPFI**").

WHEREAS, BPFI and the Security Trustee entered into a Patent Collateral Assignment dated as of July 28, 1998 (the "**Patent Collateral Assignment**"), which Patent Collateral Assignment was recorded with the United States Patent and Trademark Office on August 19, 1998, for the purpose of securing the obligations of BPFI to the Security Trustee;

WHEREAS, pursuant to the Patent Collateral Assignment, BPFI granted to the Security Trustee a continuing security interest in and first priority lien on all the Patents (as defined in the Patent Collateral Assignment), and pledged, mortgaged and hypothecated (but did not transfer title to) the Patents to the Security Trustee;

WHEREAS, BPFI has transferred to Tone Brothers, Inc. its right, title and interest in the patents listed on Exhibit A hereto (the "**Additional Patents**"); and

WHEREAS, Tone Brothers, Inc. has agreed to grant the Security Trustee a continuing security interest in and first priority lien on all the Additional Patents, and, in consideration thereof, the Security Trustee has agreed to terminate and release the security interest granted to it by BPFI in the Additional Patents as herein provided.

NOW, THEREFORE, for valuable consideration and pursuant to the terms and conditions set forth in the Patent Collateral Assignment:

The Security Trustee hereby terminates and releases the security interest granted to it by BPFI on all of the Additional Patents, and the Security Trustee hereby assigns and transfers to BPFI, without recourse, all of the right, title and interest granted to it by BPFI in the Additional Patents, effective as of the date set forth above.

IN WITNESS WHEREOF, the undersigned parties have executed this instrument as of the date first above mentioned.

THE CHASE MANHATTAN BANK,
as Co-Trustee

By: [Signature]
Name:
Title:

Accepted:

BURNS PHILP FOOD INC.

By: [Signature]
Name: ALLEN HUGLI
Title: CFO/Treasurer

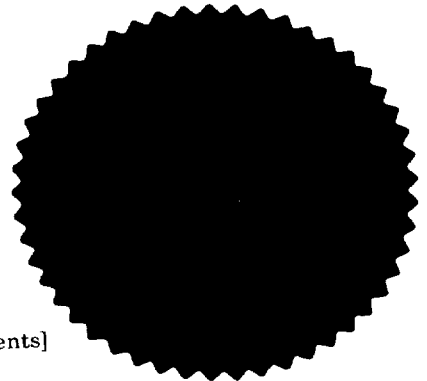
CERTIFICATE OF ACKNOWLEDGMENT

STATE OF _____)
COUNTY OF _____)

Before me, the undersigned, a Notary Public in and for the county aforesaid, on this 29 day of May, 2001, personally appeared David Leibman to me known personally, and who, being by me duly sworn, deposes and says that s/he is a Vice President of The Chase Manhattan Bank, and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and said officer acknowledged said instrument to be the free act and deed of said corporation.

[Signature]
Notary Public
My Commission Expires: Indefinite

Trevor E. Danos
Solicitor & Public Notary
225 George Street
Sydney NSW 2000
Australia



[Signature page to Termination and Release of Security Interest in Patents]

CTDOCS:1389076.2

[Signature] 29 May 2001

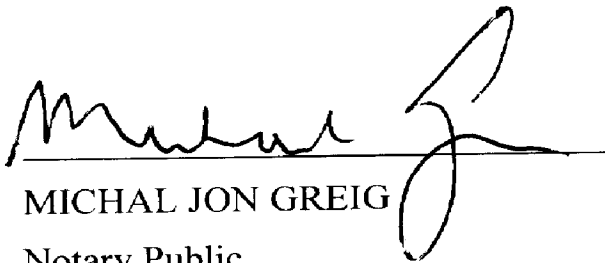
PATENT
REEL: 012295 FRAME: 0400

CERTIFICATE OF ACKNOWLEDGEMENT

STATE OF New South Wales

COUNTY OF Australia

Before me, the undersigned, a Notary Public in and for the county aforesaid, on this 28th day of June, 2001, personally appeared Allen Hugli to me known personally, and who, being by me duly sworn, deposes and says that he is the Chief Financial Officer of Burns Philp Food Inc., and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and said officer acknowledged said instrument to be the free act and deed of said corporation.

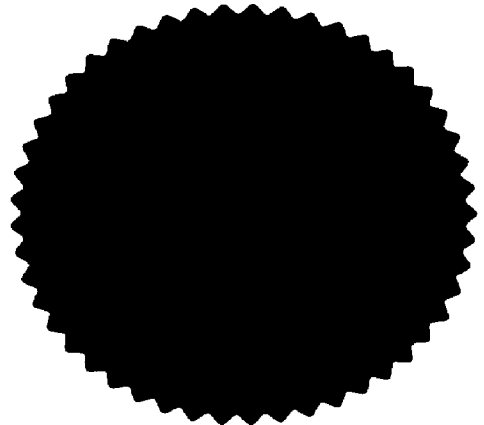


MICHAL JON GREIG

Notary Public

My Commission Expires: 30 June 2002

Michael Jon Greig
Notary Public


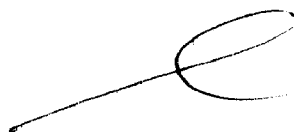


[Signature page to Termination and Release of Security Interest in Trademarks]

Exhibit A

Patent Number, Issue Date	Patent Title
5,749,478, 05/12/98	IN-LINE GRAVITY FEED SHELF SYSTEM

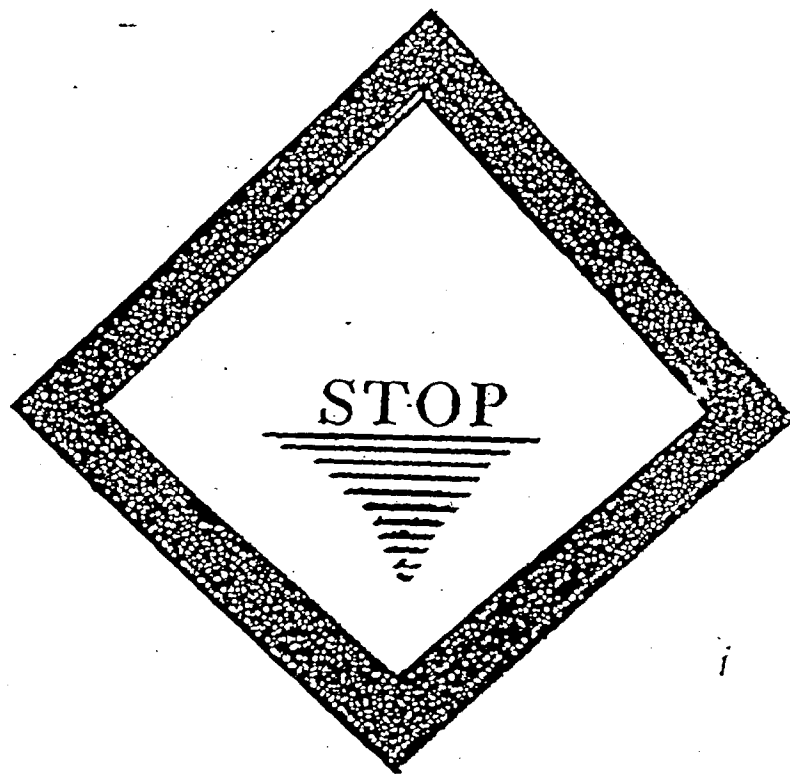
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PATENT
REEL: 012295 FRAME: 0402

THIS IS A BULK CHECK

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