

05-04-2001



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U.S. Department of Commerce
Patent and Trademark Office

TRADEMARK

APR 23 2001

4.23.01

**RECORDATION FORM COVER SHEET
TRADEMARKS ONLY**

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- ☒ New
- ☐ Resubmission (Non-Recordation)
Document ID #
- ☐ Correction of PTO Error
Reel # Frame #
- ☐ Corrective Document
Reel # Frame #

Conveyance Type

- ☐ Assignment ☐ License
- ☐ Security Agreement ☐ Nunc Pro Tunc Assignment
- ☐ Merger
- ☐ Change of Name
- ☒ Other
- Effective Date
Month Day Year

Conveying Party

☐ Mark if additional names of conveying parties attached

Name

Execution Date
Month Day Year

Formerly

- ☐ Individual ☐ General Partnership ☐ Limited Partnership ☒ Corporation ☐ Association
- ☐ Other
- ☒ Citizenship/State of Incorporation/Organization

Receiving Party

☐ Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)
City

State/Country

Zip Code

- ☐ Individual ☐ General Partnership ☐ Limited Partnership
- ☐ Corporation ☒ Association
- ☐ Other

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 should be attached. (Designation must be a separate document from Assignment.)

☒ Citizenship/State of Incorporation/Organization

FOR OFFICE USE ONLY

5/03/2001 LMUELLER 00000111 350276

01 FC:481
02 FC:482

40.00 OP
1175.00 OP

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Mail documents to be recorded with required cover sheet(s) information to:
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TRADEMARK
REEL: 002286 FRAME: 0134

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)

Correspondent Name and Address

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Pages

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

#

Trademark Application Number(s) or Registration Number(s)

☒ Mark if additional numbers attached

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

Trademark Application Number(s)

<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

Registration Number(s)

<input type="text" value="350,276"/>	<input type="text" value="74/605,194"/>	<input type="text" value="1,366,086"/>
<input type="text" value="1,983,912"/>	<input type="text" value="74/357,686"/>	<input type="text" value="74/554,869"/>
<input type="text" value="76/030,790"/>	<input type="text" value="2,171,948"/>	<input type="text" value="1,044,325"/>

Number of Properties

Enter the total number of properties involved.

#

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$

Method of Payment:

Enclosed ☒

Deposit Account ☐

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.

CHRISTINE M. RIGNEY, ESQ.

Signature

04-20-2001

Date Signed

Name of Person Signing

Attorney for Receiving Party,
First Union National Bank

SCHEDULE "A" TO RECORDATION FORM COVER SHEET
TRADEMARK SCHEDULE

Additional Registrations

<u>Mark</u>	<u>Serial No.</u>	<u>Date Registered</u>
J (Stylized)	1,270,894	03/20/84
J and Design	1,640,649	04/09/91
JF SEAL OF QUALITY and Design	1,864,826	11/29/94
JF SEAL OF QUALITY and Design	976,005	01/01/74
JJUST JJUICY and Design	74/482,580	01/24/94
JOHANNA	1,175,375	10/27/81
JOHANNA FARMS	989,688	07/30/74
LA CHOCOLAT	1,368,422	10/29/85
LA YOGURT	1,524,710	02/14/89
LA YOGURT SABOR LATINO and Design	1,880,767	02/28/95
LeHi- THE FARMERS DAIRY	962,940	07/03/73
LEHIGH VALLEY (Stylized)	595,276	09/14/54
LO-LAC	1,323,530	03/05/85
Miscellaneous Design (Dino Dude)	74/578,082	09/26/94
Miscellaneous Design (Sunburst)	930,124	02/29/72
ORANGE NATURELLE	1,541,795	05/30/89
ORANGE NATURELLE	1,146,763	02/03/81
PURE MAID	1,344,906	06/25/85
RED APPLE ORCHARD	884,391	01/13/70

REDDI-SUN	1,294,801	09/11/94
RIGHT & READY	920,809	09/21/71
SABOR LATINO <LATIN FLAVOR TASTE>	2,122,240	12/16/97
SMOOTH 'N' SLIM	1,106,763	11/21/78
SSIPS	1,409,766	09/16/86
SSIPS and Design	1,273,798	04/10/84
SABOR LATINO <LATIN FLAVOR TASTE>	2,122,241	12/16/97
THE TASTE THAT FITS	74/622,941	01/12/95
TRE RIPE (Stylized)	663,875	07/01/58
TREE RIPE	1,767,588	04/27/93
TREE RIPE and Design	1,767,589	04/27/93
TREE-RIPE	1,425,045	01/13/87
TROPICOOOL	882,567	12/16/69
VITASPORT	76/041,628	05/05/00
J and Design	298,248	12/21/84
JOHANNA	288,385	03/02/84
LA YOGURT	TMA316395	07/18/86
SSIPS	331,707	09/04/87
SSIPS	333,068	10/16/87
TREE-RIPE	TMA340488	05/20/88

RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY

Release dated as of April 11, 2001, by FIRST UNION NATIONAL BANK, as successor by merger to CORESTATES NEW JERSEY NATIONAL BANK, having offices at 370 Scotch Road, West Trenton, New Jersey 08628 ("Lender") under a certain Loan and Security Agreement dated March 31, 1995, between JOHANNA FOODS, INC., a New Jersey corporation ("Johanna Foods"), having an address at 31 South Johanna Farms Road, Flemington, New Jersey 08822-0272, and the Lender (as amended from time to time, the "Credit Agreement"), in favor of Johanna Foods.

WHEREAS, Johanna Foods is the owner of certain United States trademarks as listed on Schedule I hereto; and

WHEREAS, Johanna Foods pledged and granted to Lender as collateral for the Obligations (as defined in the Credit Agreement) under the Credit Agreement a security interest and lien in and to certain intellectual property including the trademarks listed on Schedule I, including the registrations thereof, the goodwill associated therewith and all other related claims and rights as more fully described in a certain Trademark Collateral Assignment and Security Agreement (as defined in the Credit Agreement) in favor of the Lender (the "Trademarks"); and

WHEREAS, all of the Obligations under the Credit Agreement have been satisfied;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound hereby, Lender hereby releases and remits to Johanna Foods any and all security interest and lien in and to and any and all right, title and interest in and to all intellectual property of Johanna Foods, including the aforesaid Trademarks, and gives notice of such release of security interest.

Executed as of the date first above written.

ATTEST:

FIRST UNION NATIONAL BANK

By: Adrienne Hill-Sears

Name: Adrienne Hill-Sears

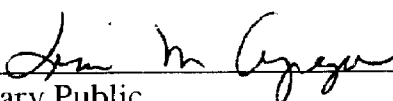
Title: Vice President

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF PHILADELPHIA

SS.

Before me, the aforesaid, a Notary Public in and for the state and county
aforesaid, on this 4/11, 2001, personally appeared ADRIENNE HALL - SEARS,
to me known personally, and who, being first by me duly sworn, depose and say that [s]he is
VILE PRESIDENT of FIRST UNION NATIONAL BANK, a Pennsylvania
corporation, and that said instrument was signed on behalf of said corporation by authority of its
Board of Directors, and that they acknowledged said instrument to be the free act and deed of
said corporation.



Notary Public

My Commission Expires:

LISA M. APGAR
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires November 19, 2001

Schedule I

SCHEDULE OF TRADEMARKS

I. United States Trademark Registrations and Applications

Mark	Reg./App. No.	Reg./Filing Date	Status
CARDANI	350,276	09/21/37	Abandoned
CHEF'S CHOICE THE ULTIMATE NON-FAT YOGURT	74/605,194	12/1/94	Abandoned
CIDER 'N' SPICE (Stylized)	1,366,086	10/15/85	Abandoned
DEVON FARMS	1,983,912	7/02/96	Registered
DIGEST (Stylized)	74/357,686	02/10/93	Abandoned
DINO DUDE	74/554,869	7/29/94	Abandoned
ESSENTIALS	76/030,790	4/19/00	Pending
FRUIT LA MORE	2,171,948	7/07/98	Registered
J (Stylized)	1,044,325	7/20/76	Abandoned
J (Stylized)	1,270,894	3/20/84	Registered
J and Design	1,640,649	4/9/91	Cancelled
JF SEAL OF QUALITY and Design	1,864,826	11/29/94	Abandoned
JF SEAL OF QUALITY and Design	976,005	01/01/74	Abandoned
JJUST JUICY and Design	74/482,580	01/24/94	Abandoned
JOHANNA	1,175,375	10/27/81	Registered
JOHANNA FARMS	989,688	7/30/74	Registered
LA CHOCOLAT	1,368,422	10/29/85	Abandoned
LA YOGURT	1,524,710	2/14/89	Registered
LA YOGURT SABOR LATINO and Design	1,880,767	2/28/95	Registered
LeHi - THE FARMERS DAIRY	962,940	07/03/73	Abandoned
LEHIGH VALLEY (Stylized)	595,276	09/14/54	Expired
LO-LAC	1,323,530	03/05/85	Abandoned
Miscellaneous Design (Dino Dude)	74/578,082	09/26/94	Abandoned
Miscellaneous Design (Sunburst)	930,124	02/29/72	Abandoned
ORANGE NATURELLE	1,541,795	5/30/89	Cancelled

Mark	Reg./App. No.	Reg./Filing Date	Status
ORANGE NATURELLE	1,146,763	02/03/81	Not Renewed
PURE MAID	1,344,906	06/25/85	Abandoned
RED APPLE ORCHARD	884,391	1/13/70	Abandoned
REDDI-SUN	1,294,801	9/11/84	Registered
RIGHT & READY	920,809	9/21/71	Registered
SABOR LATINO <LATIN FLAVOR TASTE>	2,122,240	12/16/97	Registered
SMOOTH 'N' SLIM	1,106,763	11/21/78	Expired
SSIPS	1,409,766	9/16/86	Registered
SSIPS and Design	1,273,798	4/10/84	Registered
SSIPS SABOR LATINO <LATIN FLAVOR TASTE>	2,122,241	12/16/97	Registered
THE TASTE THAT FITS	74/622,941	1/12/95	Abandoned
TRE RIPE (Stylized)	663,875	7/1/58	Abandoned
TREE RIPE	1,767,588	4/27/93	Registered
TREE RIPE and Design	1,767,589	4/27/93	Cancelled
TREE-RIPE	1,425,045	1/13/87	Registered
TROPICOL	882,567	12/16/69	Registered
VITASPORT	76/041,628	5/05/00	Pending

II. Canadian Trademark Registrations and Applications

<u>Mark</u>	<u>Reg./App. No.</u>	<u>Reg./Filing Date</u>	<u>Status</u>
J and Design	298,248	12/21/84	Abandoned
JOHANNA	288,385	3/2/84	Abandoned
LA YOGURT	TMA316395	7/18/86	Registered
SSIPS	331,707	9/4/87	Abandoned
SSIPS	333,068	10/16/87	Abandoned
TREE-RIPE	TMA340488	5/20/88	Registered