05-07-2002

U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

Form PTO-1594 (Rev. 03/01)

1. Name of conveying party(ies):

OMB No. 0651-0027 (exp. 5/31/2002)

Individual(s)

General Partnership

Corporation-State

3. Nature of conveyance:

Assignment

Tab settings ⇔ ⇒ ⇒

Wells Fargo Business Credit, Inc.

Other National Banking Association

Additional name(s) of conveying party(les) attached? Q Yes Q No

RI

☐ Association

☐ Limited Partnership

Merger

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof. 2. Name and address of receiving party(ies) Name: Asher Candy Acquisition Corporation Internal Address:\_ Street Address: 1815 Gilford Avenue New Hyde Park City: State: NY Zip: 11040 Individual(s) citizenship\_\_\_ Association\_ General Partnership\_ Limited Partnership Corporation-State WY

Security Agreement Change of Name  Change of Name  Change of Name  Execution Date:	Other  If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No!  (Designations must be a separate document from assignment)!  Additional name(s) & address(es) attached? Yes No
4. Application number(s) or registration number(s):	
A. Trademark Application No.(s)	B. Trademark Registration No.(s) 1856869; 1766099; 1771711; 1975556.
Additional number(s) att	
Name and address of party to whom correspondence concerning document should be mailed:	6. Total number of applications and registrations involved:
Name: <u>Carol A. Rader</u> , <u>Paralegal</u>	
Wolf, Block, Schorr and Solis-Cohen, LL Internal Address:	P 7. Total fee (37 CFR 3.41)
	Authorized to be charged to deposit account
Street Address: 1650 Arch Street	8. Deposit account number:
24th Floor	
City: Phila. State: PA Zip: 19103	(Attach duplicate copy of this page if paying by deposit account)
DO NOT USE	THIS SPACE
9. Statement and signature.  To the best of my knowledge and belief, the foregoing inform copy of the original document.  Elizabeth A. Grzywacz, Esquire  Name of Person Signing	
Total number of pages including cover	J 4 1
Mail documents to be recorded with	required cover sheet information to:
Commissioner of Patent & Tr	ademarks, Box Assignments

Washington, D.C. 20231

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> **TRADEMARK REEL: 2499 FRAME: 0977**

## RELEASE AND REASSIGNMENT

THIS RELEASE AND REASSIGNMENT is made this  $15^{\ddagger}$  day of April 2002 by WELLS FARGO BUSINESS CREDIT, INC. ("Wells Fargo").

## WITNESSETH:

WHEREAS, Wells Fargo and Asher Candy Acquisition Corporation, a Wyoming corporation ("Debtor"), are parties to a certain Credit and Security Agreement dated as of June 1, 2001 as it may be amended, supplemented, restated or otherwise modified from time to time (the "Credit Agreement") setting forth the terms upon which Wells Fargo made certain Advances and other financial accommodations (the "Obligations") to Debtor. As partial security for Debtor's Obligations, Debtor has executed a certain Trademark Security Agreement (the "Trademark Security Agreement") dated as of June 1, 2001, pursuant to which Debtor granted a security interest in and to the Trademarks; and

WHEREAS, the Trademark Security Agreement was recorded in the United States Patent and Trademark Office on June 7, 2001 at Reel 2326 beginning at Frame 0968; and

WHEREAS, the Obligations have been fully satisfied and, therefore, Debtor has requested that Wells Fargo release its security interest in all of the Trademarks and reassign the same to Debtor.

**NOW THEREFORE**, for good and valuable consideration, receipt and sufficiency of which are hereby acknowledged:

- Wells Fargo hereby irrevocably releases and terminates its security interest in all of Debtor's right, title and interest in and to all of its now owned or existing Trademarks including, without limitation, all trademarks, registered trademarks, trademark applications, trade names, service marks, registered service marks, service mark applications and collective membership marks including, without limitation, the marks listed on Exhibit A, attached hereto and made a part hereof, and (a) renewals thereof, (b) all income, royalties, damages and payments now and hereafter due and/or payable under and with respect thereto, including, without limitation, payments under all licenses entered into in connection therewith and damages and payments for past, present or future infringements and dilutions thereof, (c) the right to sue for past, present and future infringements and dilutions thereof, (d) the goodwill associated therewith, and (e) all other rights corresponding thereto throughout the world.
- Wells Fargo hereby reassigns, grants and conveys to Debtor, without any representation, recourse or undertaking by Wells Fargo, all of Wells Fargo's rights, title and interest, in, to and under the Trademarks.

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TRADEMARK REEL: 2499 FRAME: 0978

Capitalized terms used herein and not otherwise defined shall have the meanings assigned thereto in the Credit Agreement.

IN WITNESS WHEREOF, Wells Fargo has caused this Release and Reassignment to be duly executed by its duly authorized officer as of the day and year first above written.

WELLS FARGO BUSINESS CREDIT, INC.

Name: Richard Orr Title: Vice President

ACKNOWLEDGMENT

STATE OF NEW YORK )

COUNTY OF NEW YORK

On the 25th day of April, 2002 before me, the undersigned, a Notary Public in and for said State, personally appeared Richard Ovy personally known to me or proved to me n the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on this instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

DONNA ANN PEKAHONI
Notary Public, State of New York
No. 31-4809891
Qualified in New York County
2003 DONNA ANN PEKARSKY

Commission Expires June 30

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## Exhibit A

Mark	Registration Number	Registration Date
Asher	1856869	10/4/94
Tiger Tails	1766099	4/20/93
Gourmet Canes	1771711	5/18/93
Columbia Sportswear	1975556	5/28/96
Company (Asher with design)		

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**RECORDED: 05/07/2002** 

**TRADEMARK REEL: 2499 FRAME: 0980**