SUBMISSION TYPE:

**NEW ASSIGNMENT** 

NATURE OF CONVEYANCE:

Release of Security Interest

#### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type	
Bank of America, N.A.	NationsBank of Texas, N.A.	11/29/2004	National Banking Association:	

### **RECEIVING PARTY DATA**

Name:	La Madeleine, Inc.	
Street Address:	6688 North Central Expressway	
Internal Address:	Suite 700	
City:	Dallas	
State/Country:	TEXAS	
Postal Code:	75206	
Entity Type:	CORPORATION: TEXAS	

### PROPERTY NUMBERS Total: 5

Property Type	Number	Word Mark
Registration Number:	1393439	FRENCH BAKERY
Registration Number:	1645635	HOME AWAY FROM HOME
Registration Number:	1614450	LA MADELEINE
Registration Number:	2272692	LA MADELEINE CUISINE
Registration Number:	1538543	LA MADELEINE FRENCH BAKERY WOOD BURNING OVEN

### **CORRESPONDENCE DATA**

Fax Number: (214)661-4899

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

214/953-6618 Phone:

Email: daltmdept@bakerbotts.com

Correspondent Name: Priscilla L. Dunckel

Address Line 1: 2001 Ross Avenue, Suite 600

Address Line 2: Baker Botts L.L.P.

Address Line 4: Dallas, TEXAS 75201

ATTORNEY DOCKET NUMBER:

021334.0112

TRADEMARK

900016906 **REEL: 002994 FRAME: 0213** 

NAME OF SUBMITTER: Priscilla L. Dunckel

Total Attachments: 2

source=Release of Security Interest - NationsBank of Texas to La Madeleine p1#page1.tif source=Release of Security Interest - NationsBank of Texas to La Madeleine p2#page1.tif

TRADEMARK REEL: 002994 FRAME: 0214

# RELEASE OF SECURITY INTEREST IN TRADEMARK REGISTRATIONS

Pursuant to that certain Intellectual Property Security Agreement and Assignment, dated as August 27, 1997, between La Madeleine, Inc., as Debtor ("Borrower") and NationsBank of Texas, N.A. (now known as Bank of America, N.A.), as Secured Party ("Bank"), and all amendments and modifications thereto (collectively, the "Security Agreement"), Borrower assigned to the Bank and granted the Bank security interests and licenses in certain property of Borrower, including all of Borrower's rights, title and interest in the names and trademarks identified in Schedule I attached hereto.

The Security Agreement was recorded with the United States Patent and Trademark Office, Assignment Branch, on September 18, 1997, at Reel 1664, Frame 0127. The License was recorded with United States Patent and Trademark Office, Assignment Branch, on September 18, 1997, at Reel 1680, Frame 0780.

Bank and Borrower have terminated the Security Agreement effective as of 2004.

NOW THEREFORE, Bank for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by Bank, does hereby fully and finally release and relinquish all interest and licenses granted to Bank by Borrower pursuant to the Security Agreement, including but not limited to, all of Bank's security interests and licenses in all rights, title, and interest in the names and trademarks identified in Schedule 1 attached hereto, and the goodwill of the business symbolized by and associated with the trademarks and registrations.

BANK OF AMERICA, N.A., formerly known as NATIONSBANK OF TEXAS, N.A., as Secured Party

Senior Vice President

STATE OF TEXAS ARIZONA

SOUNTY OF DALLAS MARICORA

The foregoing instrument was acknowledged before me on North 29, 2004, by Roger E. Chitwood, Senior Vice President of Bank of America, N.A., an association, on behalf of the bank.

(Seal)

Notary Public in and for the State of Texas ANIDAN

My Commission Expires:

1-5-07

PAUL J. RUIZ
Notary Public - Arizona
Maricopa County
My Commission Expires
January 5, 2007

DAL01:823262.1

TRADEMARK
REEL: 002994 FRAME: 0215

## SCHEDULE I TO RELEASE OF SECURITY INTEREST

## **UNITED STATES TRADEMARK REGISTRATIONS**

<u>Mark</u>	Registration Number	Registration Date
FRENCH BAKERY & Design	1,393,439	May 13, 1986
HOME AWAY FROM HOME	1,645,635	May 29, 1990
LA MADELEINE	1,614,450	January 8, 1990
LA MADELEINE CUISINE	2,272,692	February 21, 1997
LA MADELEINE FRENCH BAKERY WOOD BURNING	1,538,543	October 24, 1983

## **FOREIGN TRADEMARK REGISTRATIONS**

Country	<u>Mark</u>	Registration Number	Registration Date
Canada	LA MADELEINE	433,808	September 30, 1994
France	LA MADELEINE & Design	1,715,496	June 3, 1991
Canada	LA MADELEINE & Design	454,040	February 16, 1996
International Register*	LA MADELEINE (Stylized)	584,598	March 20, 1992

<sup>\*</sup>in the name of Patrick Esquerre, licensed to La Madeleine, Inc.

DAL01:823262.1

**RECORDED: 12/17/2004** 

**TRADEMARK**