

09-17-2004



102838500

Form PTO-1594 (Rev. 10/02) OMB No. 0651-0027 (exp. 6/30/2005) Tab settings

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

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

File of

1. Name of conveying party(ies): JPMORGAN CHASE BANK

- Individual(s) Association General Partnership Limited Partnership Corporation-State Other

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

3. Nature of conveyance:

- Assignment Merger Security Agreement Change of Name Other Release

Execution Date: 9/3/2004

2. Name and address of receiving party(ies)

Name: Tone Brothers, Inc. Internal Address:

Street Address: 2301 S.E. TONE'S DRIVE City: ANKENY State: IA Zip: 50021

- Individual(s) citizenship Association General Partnership Limited Partnership Corporation-State IA 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) SEE ATTACHED.

B. Trademark Registration No.(s) SEE ATTACHED.

Additional number(s) attached Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Penelope Agodoa

Internal Address: Federal Research Corporation

Street Address: 1030 15th Street, NW

Suite 920

City Washington State DC Zip: 20005

6. Total number of applications and registrations involved:

95

7. Total fee (37 CFR 3.41) \$ 2350.00

- Enclosed Authorized to be charged to deposit account

8. Deposit account number:

(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 information is true and correct and any attached copy is a true copy of the original document.

Young Jr Name of Person Signing

Signature

9/03/2004 Date

Total number of pages including cover sheet, attachments, and document:

Mail documents to be recorded with required cover sheet information to: Commissioner of Patent & Trademarks, Box Assignments Washington, D.C. 20231

09/17/2004 ECOOPER 00000014 1989521

01 FC:8521 40.00 OP 02 FC:8522 2350.00 OP

United States of America

<i>Trademark</i>	<i>Reg./App. Number</i>
1. AUTHENTIC PRESTI'S & DESIGN	1989521
2. BAKER'S SELECT & DESIGN	1868501
3. BEAU MONDE	0409189
4. BEEF EASY	1973523
5. BOTTLE DESIGN	0994041
6. BROIL 'N GRILL	0815070
7. BUFFALO WINGS & DESIGN	2233733
8. CAKE & ICING MAGIC	1180397
9. CANADA'S FAVOURITE	1777524
10. CHEF'S TASTE	1831740
11. CHICKEN EASY	1967473
12. CHOC-O-TRIMS	1332469
13. COLOR-A-CAKE	1204207
14. CRAZY DAVE'S	1792804
15. D (STYLIZED)	0880548
16. DEC-A-CAKE	1130960
17. DEC-A-PARTY	1204497
18. DURKEE	1180385
19. DURKEE	1177514
20. DURKEE	1174405

A-8 (of 10)

21. DURKEE	1187912
22. DURKEE	1069413
23. DURKEE	1067946
24. DURKEE (stylized)	0866908
25. DURKEE (stylized)	1848309
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29. DURKEE D & DESIGN	2529999
30. DURKEE GRILL CREATIONS & DESIGN	1840049
31. DURKEE QUALITY SINCE 1850 & DESIGN	2002946
32. DURKEE SALAD SENSATIONS	1903702
33. DURKEE SALAD SENSATIONS & DESIGN	1840710
34. DURKEE TEXAS RED CHILI	1240512
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44. LAURELEAF & DESIGN	0828851
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50. MEI YEN (stylized)	0615403
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58. PERC	1273782
59. PERC & DESIGN	1843095
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61. REAL STUFF	1273759
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68. SPICE ADVICE & DESIGN	1297291
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71. SPICE ISLANDS	1623939
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73. SPICE ISLANDS	0765595
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75. SPICE ISLANDS	1846883
76. SPICE ISLANDS	2255790
77. SPICE ISLANDS & LEAF BORDER	1763107
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80. SPICE KITCHENS & DESIGN	1393455
81. TASTE GUARD	1955709
82. THAI CAFÉ	1905812
83. THE DIPPY GANG	1263714
84. TONE'S	0773259
85. TONE'S & DESIGN	0772909
86. TONE'S QUALITY SINCE 1873 & DESIGN	1975869
87. TONE'S QUALITY SINCE 1873 & DESIGN	1975870
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89. TRANSPACKER	1596405
90. VIADA	1913595
91. WE SEAL IT FRESH FOR YOU!	1371588
92. WRITE-A-CAKE	0708818
93. YOU CAN'T BEAT THE SYSTEM	1467876
94. SPICE ISLANDS WORLD FLAVORS	75/874192
95. WORLD FLAVORS	75/874850

TERMINATION AND RELEASE OF SECURITY INTERESTS IN TRADEMARKS

Tone Brothers, Inc.

TERMINATION AND RELEASE OF SECURITY INTEREST IN TRADEMARKS, dated as of September 3, 2004, by JPMORGAN CHASE BANK f/k/a 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 **TONE BROTHERS, INC.**, an Iowa corporation, with a principal place of business at 2301 S.E. Tone's Drive, Ankeny, Iowa 50021 ("TBI").

WHEREAS, TBI and the Security Trustee entered into the following security agreements (the "**Trademark Agreement**") for the purpose of securing the obligations of TBI described therein: a Trademark Security Agreement dated as of August 13, 2001, and recorded with the United States Patent and Trademark Office on May 15, 2003, at Reel 2736, Frame 0218.

WHEREAS, pursuant to the Trademark Agreement, TBI granted to the Security Trustee security interests in all the Trademarks (as defined in the Trademark Agreement); and

WHEREAS, in connection with a disposition by TBI's parent corporation of its interest in TBI, the Security Trustee has been requested to terminate and release its security interest and its right, title and interest in the Trademarks as herein provided.

NOW, THEREFORE, for valuable consideration and pursuant to the terms and conditions set forth in the Trademark Agreement:

The Security Trustee hereby unconditionally and irrevocably terminates and releases its security interest on all of TBI's Trademarks (as such term is defined in the Trademark Agreement), including without limitation the Trademarks identified on Exhibit A attached hereto, and the Security Trustee hereby unconditionally and irrevocably assigns and transfers to TBI, without recourse, all of the Security Trustee's right, title and interest in and to such Trademarks (as such term is defined in the Trademark Agreement), including without limitation the Trademarks listed on Exhibit A attached hereto, 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.

JPMORGAN CHASE BANK f/k/a THE CHASE MANHATTAN BANK,
as Co-Trustee

By: Taeko Fukaiishi
Name: TAEKO FUKAISHI
Title: ASSISTANT VICE PRESIDENT

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF NEW YORK

COUNTY OF NEW YORK

Before me, the undersigned, a Notary Public in and for the county aforesaid, on this 19th day of August, 2004, personally appeared TAEKO FUKAISHI to me known personally, and who, being by me duly sworn, deposes and says that s/he is a Assistant Vice President of JPMorgan Chase Bank f/k/a 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.

James M. Foley
Notary Public
My Commission Expires: _____

JAMES M. FOLEY NO. 01FO6348400
Notary Public, State of New York
Qualified in New York County
My Commission Expires Aug. 31, 2006

Exhibit A

United Arab Emirates

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	8051
DURKEE	8048
SPICE ISLANDS	20936
SPICE ISLANDS	20935

Argentina

<i>Trademark</i>	<i>Reg./App. Number</i>
SPICE ISLANDS	1549182

Austria

<i>Trademark</i>	<i>Reg./App. Number</i>
SPICE ISLANDS & Filigree/Palm	53681

Australia

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	A601510
DURKEE	A601509
DURKEE	A601015
DURKEE GRILL CREATIONS & Design	623882
DURKEE SALAD SENSATIONS	623883
DURKEE SALAD SENSATIONS & Design	623884
GOOD HARVEST	553301
GOOD HARVEST	653302
SPICE ISLANDS & Filigree Design	285185
SPICE ISLANDS (Series)	630245
SPICE ISLANDS (Series)	630246

Bolivia

<i>Trademark</i>	<i>Reg./App. Number</i>
SPICE ISLANDS	C32798
SPICE ISLANDS	C32799

Brazil

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	002970880
DURKEE (Stylized)	817765514
ISLANDS	006543480

Benelux

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE'S	54013
SPICE ISLANDS & Filigree/Palm	33379

Canada

<i>Trademark</i>	<i>Reg./App. Number</i>
BEAU MONDE	331,051
DEC-A-CAKE	276,711
DURKEE	226,367
DURKEE (Stylized)	491,235
DURKEE CHICKEN EASY	478,886
DURKEE'S	33,569
GRILL CREATIONS	458,346
LITE-A-CAKE	276,712
SPICE ISLANDS	106,118
WRITE-A-CAKE	276,713
CONDOR	216,847
CONDOR PREMIER TOUJOURS & DESIGN	TMDA042,506
CONDOR STRICTEMENT PUR & DESIGN	TMDA032,794
COUNTRY PANTRY	264,441
EPICURE	264,502
PEPPER MILL BRAND	197,070
RED DRAGON	307,639
SHIP DESIGN	398,163
TRADER'S CHOICE	488,515
FLAVO-TEX	131,177

Switzerland

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	P283925
SPICE ISLANDS	466605
SPICE ISLANDS & Filigree/Palm	308904

Chile

<i>Trademark</i>	<i>Reg./App. Number</i>
DEC-A-CAKE	482497
DURKEE	535812
SPICE ISLANDS	470158
SPICE ISLANDS	474887
VIADA	477790

China

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	1141343
SPICE ISLANDS PASTA GOURMET	1129134

Columbia

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	186423

Costa Rica

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	116279
DEC-A-CAKE	102691
SPICE ISLANDS	18809

Cuba

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	103394
SPICE ISLANDS	97293

Cypess

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	16969
DURKEE	42593
SPICE ISLANDS & Leaf Border Design	42595
SPICE ISLANDS PASTA GOURMET	42594

Germany

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE'S	822030
SPICE ISLANDS & Leaf Border Design	2077621
SPICE ISLANDS COMPANY & Design	755776
SPICE ISLANDS PASTA GOURMET	39547252

Denmark

<i>Trademark</i>	<i>Reg./App. Number</i>
SPICE ISLANDS	01931/1954

Ecuador

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	3137-94
GOOD HARVEST	5071-97
GOOD HARVEST	5070-97

SPICE ISLANDS	560-74
SPICE ISLANDS PASTA GOURMET	5069-97
SPICE ISLANDS QUICK MEAL	2341-98
TRADER'S CHOICE	5068-97

European Community Trademark

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	00420117
SPICE ISLANDS	00420315

Spain

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	806199

Finland

<i>Trademark</i>	<i>Reg./App. Number</i>
SPICE ISLANDS & Filigree/Palm	36650

France

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE'S	1632804

United Kingdom

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE'S	B878834
DURKEE'S	B890017
DURKEE'S	B878835
SPICE ISLAND	1044786
SPICE ISLAND	2050202
SPICE ISLANDS	B1122619
SPICE ISLANDS & Filigree Design	B1137180

Greece

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	54817
SPICE ISLANDS & Filigree Design	104274
SPICE ISLANDS & Leaf Border Design	124994
SPICE ISLANDS PASTA GOURMET	124052
SPICE ISLANDS QUICK MEAL	124051

Guatemala

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	15719/453

Hong Kong

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	8410/1998
DURKEE	1031/1999
SPICE ISLANDS	B6848/97

Honduras

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE'S	48809
DURKEE'S	14291

Ireland

<i>Trademark</i>	<i>Reg./App. Number</i>
SPICE ISLANDS & Filigree Design	150157

Indonesia

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	387878
DURKEE	387777
SPICE ISLANDS	387887
SPICE ISLANDS	387888
SPICE ISLANDS & Leaf Border Design	387890

Israel

<i>Trademark</i>	<i>Reg./App. Number</i>
SPICE ISLANDS	37432
SPICE ISLANDS & Leaf Border Design	97792
SPICE ISLANDS PASTA GOURMET	97770
SPICE ISLANDS QUICK MEAL	97771

India

<i>Trademark</i>	<i>Reg./App. Number</i>
GOOD HARVEST	655635

Iceland

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	1432.1996

Italy

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE & D Design	480671
DURKEE'S	698013
SPICE ISLANDS & Filigree/Palm	487283

Jamaica

<i>Trademark</i>	<i>Reg./App. Number</i>
SPICE ISLANDS	29/1514

Jordan

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	49125
DURKEE	Limbach File No. BPFT 4710 JOR

Japan

<i>Trademark</i>	<i>Reg./App. Number</i>
DARKIE	2261633
DURKEE	7-129998
DURKEE'S	475566
DURKEE'S	623704
SPICE ISLANDS	1226899
SPICE ISLANDS PASTA GOURMET	11-008906
TRADER'S CHOICE	4062927

Korea

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	1999-26863
DEC-A-CAKE	1999-26864

Kuwait

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	27191
DURKEE	27192

Macao

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	7350-M
DURKEE	7349-M

Malta

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	12715

Mexico

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	475708
DURKEE	475707
DURKEE CHICKEN EASY	477933

SPICE ISLANDS	491252
SPICE ISLANDS	487269
SPICE ISLANDS & Filigree/Palm	94040
SPICE ISLANDS & Leaf Border Design	470143

Norway

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE'S	65058
DURKEE & D Design	70907
SPICE ISLANDS & Leaf Border Design	170092

New Zealand

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	269994
DURKEE & D Design	78738
SPICE ISLANDS (Series)	255612
SPICE ISLANDS (Series)	255611
SPICE ISLANDS COMPANY & Palms	80926
VITA CRUNCH	B106669

Panama

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	29761
DURKEE	30023
SPICE ISLANDS	74059
SPICE ISLANDS	72772

Peru

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	51928

Portugal

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	191720
DURKEE	191719
DURKEE	191721
SPICE ISLANDS & Leaf Border Design	306575

Paraguay

<i>Trademark</i>	<i>Reg./App. Number</i>
SPICE ISLANDS	197670

Saudi Arabia

<i>Trademark</i>	<i>Reg./App. Number</i>
SPICE ISLANDS	324/16

Sweden

<i>Trademark</i>	<i>Reg./App. Number</i>
SPICE ISLANDS	184793
SPICE ISLANDS & Filigree Design	82678
SPICE ISLANDS & Filigree Design	177943
SPICE ISLANDS & Leaf Border Design	256147

Singapore

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	T94/05127Z
DURKEE	S/5126/94
SPICE ISLANDS	S/B82229

El Salvador

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE'S	13986

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Uruguay

<i>Trademark</i>	<i>Reg./App. Number</i>
SPICE ISLANDS	279066

Venezuela

<i>Trademark</i>	<i>Reg./App. Number</i>
DURKEE	51928
DURKEE	2718-94
DURKEE	2719-94
DURKEE'S	36017-F
SPICE ISLANDS	45136-F