

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	RELEASE BY SECURED PARTY		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
FIFTH THIRD BANK, AGENT		01/14/2009	BANKING CORPORATION: OHIO
RECEIVING PARTY DATA			
Name:	HEARTHSIDE ACQUISITION, LLC		
Street Address:	312 RADER ROAD		
City:	MCCOMB		
State/Country:	OHIO		
Postal Code:	45858		
Entity Type:	LIMITED LIABILITY COMPANY: OHIO		
PROPERTY NUMBERS Total: 2			
Property Type	Number	Word Mark	
Registration Number:	2800150	MAURICE LENELL	
Registration Number:	2802145	MAURICE LENELL	
CORRESPONDENCE DATA			
Fax Number:	(419)247-1777		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
Phone:	419-241-6000		
Email:	adcramer@eastmansmith.com		
Correspondent Name:	EASTMAN & SMITH LTD.		
Address Line 1:	ONE SEAGATE, 24TH FLOOR		
Address Line 2:	HENRY N. HEUERMAN, ESQ.		
Address Line 4:	TOLEDO, OHIO 43604		
ATTORNEY DOCKET NUMBER:	C288 184597		
NAME OF SUBMITTER:	Henry N. Heuerman		
Signature:	/Henry N. Heuerman/		

OP \$65.00 2800150

Date:

01/23/2009

Total Attachments: 3

source=USPTO Exh Attachment Exec Fifth Third Release#page1.tif

source=USPTO Exh Attachment Exec Fifth Third Release#page2.tif

source=USPTO Exh Attachment Exec Fifth Third Release#page3.tif

RELEASE AND REASSIGNMENT OF TRADEMARKS

THIS RELEASE AND REASSIGNMENT OF TRADEMARKS dated January 14, 2009 by FIFTH THIRD BANK, an Ohio banking corporation ("*Fifth Third*") with its mailing address at 38 Fountain Square Plaza, MD 109047, Cincinnati, Ohio 45263, acting as agent hereunder for the Secured Creditors defined in that certain Trademark Collateral Agreement hereinafter defined (said Fifth Third acting as such agent being hereinafter referred to as "*Secured Party*");

WITNESSETH:

WHEREAS, the Secured Party and Hearthside Acquisition, LLC, an Ohio limited liability company ("*Debtor*") with its principal place of business and mailing address at 312 Rader Road, McComb, Ohio 45858 are parties to a certain Trademark Collateral Agreement dated June 26, 2008 which was recorded in the United States Patent and Trademark Office on July 15, 2008 at Reel 003815, Frame 0727, pursuant to which Debtor granted a security interest in and collateral assignment of certain trademarks, trademark registrations and trademark applications listed on Schedule A attached hereto and certain other property (collectively, the "*Trademarks*"); and

WHEREAS, Debtor has requested that Secured Party release its security interests in the Trademarks and reassign the same to Debtor;

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

Secured Party hereby releases its security interests in and collateral assignment of, and reassigns, grants and conveys to Debtor, without any representation, warranty, recourse or undertaking by Secured Party, all of its right, title and interest, if any, in and to:


(i) Each trademark, trademark registration and trademark application listed on Schedule A hereto, and all of the goodwill of the business connected with the use of, and symbolized by, each such trademark, trademark registration and trademark application; and

(ii) All proceeds of the foregoing, including without limitation any claim by Debtor against third parties for damages by reason of past, present or future infringement of any trademark, trademark registration or trademark application listed on Schedule A hereto or by reason of injury to the goodwill associated with any such trademark, trademark registration or trademark application, in each case together with the right to sue for and collect said damages.

[SIGNATURE PAGE TO FOLLOW]

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

FIFTH THIRD BANK, as Agent as aforesaid for the
Secured Creditors

By 
Name Timothy L. Kess
Title Vice President

SCHEDULE A
TO RELEASE AND REASSIGNMENT OF TRADEMARKS

REGISTERED TRADEMARKS
AND TRADEMARK APPLICATIONS

TITLE	REGISTRATION NO.	REGISTRATION DATE
Maurice Lenell	2800150	December 30, 2003
Maurice Lenell	2802145	January 6, 2004