

## 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                   |
| First National Bank of Boston   |                                 | 05/08/2012     | NATIONAL BANKING ASSOCIATION: |
| RECEIVING PARTY DATA  |                                 |                |                               |
| Name:   | PANTRESSE, INCORPORATED         |                |                               |
| Street Address:   | 690 CANTON STREET               |                |                               |
| City:   | WESTWOOD                        |                |                               |
| State/Country:  | MASSACHUSETTS                   |                |                               |
| Postal Code:  | 02090                           |                |                               |
| Entity Type:  | CORPORATION: DELAWARE           |                |                               |
| PROPERTY NUMBERS Total: 1   |                                 |                |                               |
| Property Type   | Number                          | Word Mark      |                               |
| Registration Number:  | 1144631                         | APHOGEE        |                               |
| CORRESPONDENCE DATA   |                                 |                |                               |
| Fax Number:   | 2123101659                      |                |                               |
| <i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i> |                                 |                |                               |
| Phone:  | 212 626 4557                    |                |                               |
| Email:  | nyctrademarks@bakermckenzie.com |                |                               |
| Correspondent Name:   | Lisa W. Rosaya                  |                |                               |
| Address Line 1:   | 1114 Avenue of teh Americas     |                |                               |
| Address Line 2:   | Baker & Mckenzie LLP            |                |                               |
| Address Line 4:   | New York, NEW YORK 10036        |                |                               |
| ATTORNEY DOCKET NUMBER:   | 39185843-000083                 |                |                               |
| NAME OF SUBMITTER:  | Lisa W. Rosaya                  |                |                               |
| Signature:  | /lwr/                           |                |                               |

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Date:

05/10/2012

**Total Attachments: 4**

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DECLARATION TO SUPPORT REQUEST TO RELEASE SECURITY INTEREST

PANTRESSE, INCORPORATED

This declaration is made by Pantresse, Incorporated (the "Company") with respect to a release of a security interest recorded against the U.S. trademark registration set forth on Exhibit A hereto (the "Trademark"). The undersigned, a duly authorized signatory of the Company, hereby declares and certifies, on behalf of the Company but without any personal liability for any of the confirmations, certifications or statements made herein, as follows:

1. That on June 11, 1993, First National Bank of Boston ("FNBB"), pursuant to a Security Agreement and accompanying Trademark Collateral Assignment dated June 11, 1993 (collectively, the "Security Agreement"), was granted, among other things, a security interest in, and a collateral assignment of, the Trademark by the Company (the "Security Interest") as collateral for a certain loan extended by FNBB to the Company (such loan, the "Loan" and the Loan together with all obligations of the Company pursuant thereto, the "Company Obligations").
2. That the Security Interest was evidenced by the lien recorded at the U.S. Patent & Trademark Office on July 12, 1993 at reel and frame number 1000/0426 (the "PTO Recordation").
3. That the Company Obligations have been discharged and satisfied in full, including but not limited to full, final and irrevocable repayment of the Loan by the Company.
4. That as a result of the discharge and satisfaction in full of the Company Obligations, pursuant to the terms of the Security Agreement, the Security Interest was automatically terminated and is no longer valid or in existence.
5. That the Company conducted a UCC lien search in the State of Delaware, the state of the Company's organization, and there are no existing UCC liens recorded against the Company with respect to the Security Interest.
6. That the Company and its agents and attorneys have made diligent efforts to contact FNBB to secure a formal release of the PTO Recordation.
7. That such efforts have led to discovery that (a) FNBB is no longer an existing entity, (b) to the Company's knowledge, the successor in interest to FNBB's interests is Bank of America, N.A. ("Bank of America") and (c) Bank of America has informed the Company that its records indicate that the Loan was "purged" from Bank of America's system.
8. That (a) given the Company's full repayment, discharge and satisfaction of the Loan and all other Company Obligations related thereto, (b) the termination and non-existence of the Security Interest pursuant to the terms of the Security Agreement, (c) the absence of any existing UCC lien filings against the Company with respect to the Security Interest, (d) the fact that FNBB is no longer an existing entity and (e) the confirmation by Bank of America to the Company that the Loan has been purged from Bank of America's system, the Company believes it is entitled to direct, and has directed, that a release of the PTO Recordation be filed with the U.S. Patent & Trademark Office.

[Signature Page Follows]

IN WITNESS WHEREOF, I have hereunto set my hand as of the date first written above and request that the security interest recorded at reel and frame number 1000/0426 be released.

**PANTRESSE, INCORPORATED**

By: 

Name: Joseph Sullivan  
Duly Authorised

Title: \_\_\_\_\_

Date: 8 May 2012

Exhibit A

| TRADEMARK | U.S. TRADEMARK<br>REGISTRATION NO. | ISSUED            |
|-----------|------------------------------------|-------------------|
| APHOGEE   | 1144631                            | December 30, 1980 |

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