# Electronic Version v1.1

Stylesheet Version v1.1

SUBMISSION TYPE: **NEW ASSIGNMENT** NATURE OF CONVEYANCE: SECURITY INTEREST

#### **CONVEYING PARTY DATA**

| Name Formerly         |  | Execution Date | Entity Type               |
|-----------------------|--|----------------|---------------------------|
| IIFleet National Bank | acquirer of and successor in interest to Imperial Bank | I12/01/2003 I  | CORPORATION: RHODE ISLAND |

#### **RECEIVING PARTY DATA**

| Name:           | Jamba Juice Company     |  |
|-----------------|-------------------------|--|
| Street Address: | 1700 17th Street        |  |
| City:           | San Francisco           |  |
| State/Country:  | CALIFORNIA              |  |
| Postal Code:    | 94103                   |  |
| Entity Type:    | CORPORATION: CALIFORNIA |  |

PROPERTY NUMBERS Total: 55

| Property Type        | Number  | Word Mark                                     |
|----------------------|---------|---|
| Registration Number: | 2145968 | APPLE SQUEEZE                                 |
| Registration Number: | 2145969 | BLACKBERRY BURST                              |
| Registration Number: | 2126828 | BOYSENBERRY BLISS                             |
| Registration Number: | 2153461 | CALYPSO GUAVA                                 |
| Registration Number: | 2243494 | CARIBBEAN PASSION                             |
| Registration Number: | 2046849 | CARROT QUENCHER                               |
| Registration Number: | 2174345 | CHOCOLATE MOO'D                               |
| Registration Number: | 2138335 | CITRUS SQUEEZE                                |
| Registration Number: | 2099169 | CRANBERRY CRAZE                               |
| Registration Number: | 2219672 | CRANBERRY SPLASH                              |
| Registration Number: | 2174423 | DRINK YOUR NEXT MEAL!                         |
| Registration Number: | 2219671 | GRAPE D'VINE                                  |
| Registration Number: | 2187103 | HAWAIIAN LUST                                 |
| Registration Number: | 2280907 | IT'S NOT JUST A SMOOTHIE, IT'S A WAY OF LIFE! |
|                      |         | TDADEMADK                                     |

TRADEMARK "

**REEL: 002762 FRAME: 0201** 

| Registration Number: | 2130460  | JAMBA JUICE                            |
|----------------------|----------|--|
| Registration Number: | 2130004  | JAMBA JUICE                            |
| Registration Number: | 2014541  | JAMBA JUICE                            |
| Registration Number: | 2097875  | JAMBA JUICE                            |
| Registration Number: | 2344798  | JAMBA POWERBOOST                       |
| Registration Number: | 2526399  | ЈАМВА                                  |
| Registration Number: | 2307007  | JAMBOLAS                               |
| Registration Number: | 2219962  | JUICE BOOST                            |
| Registration Number: | 1829996  | JUICE CLUB WHIP IT, BEAT IT, BLEND IT! |
| Registration Number: | 2183888  | JUICE CLUB                             |
| Registration Number: | 2079260  | JUICE CLUB                             |
| Registration Number: | 2072010  | JUST PEACHY                            |
| Registration Number: | 2256869  | KIWI BERRY BURNER                      |
| Registration Number: | 2207974  | LIME SUBLIME                           |
| Registration Number: | 2070089  | OCEAN SUNRISE                          |
| Registration Number: | 2072008  | ORANGE OCTANE                          |
| Registration Number: | 2354299  | PACIFIC PASSION                        |
| Registration Number: | 2126830  | PAPAYA PARADISE                        |
| Registration Number: | 2126829  | PEACH PLEASURE                         |
| Registration Number: | 2102423  | PEENYA-KOWLADA                         |
| Registration Number: | 2258369  | PINEAPPLE PIZAZZ                       |
| Registration Number: | 2145970  | PINEAPPLE SQUEEZE                      |
| Registration Number: | 2130159  | P-NUT BUTTER BASH                      |
| Serial Number:       | 78295146 | POWER SMOOTHIES                        |
| Registration Number: | 2089182  | POWERBERRY                             |
| Registration Number: | 2177914  | PUMPKIN PATCH                          |
| Registration Number: | 2285495  | RASPBERRY RAGE                         |
| Registration Number: | 2046850  | RASPBERRY REFRESHER                    |
| Registration Number: | 2334084  | RAZZMATAZZ                             |
| Registration Number: | 2289574  | SOUPRIMO                               |
| Registration Number: | 2316842  | SQUEEZE THE MOST OUT OF LIFE           |
| Registration Number: | 2144233  | STRAWBANNA                             |
| Registration Number: | 2275124  | STRAWBERRIES WILD                      |
| Registration Number: | 2299491  | THE COLDBUSTER                         |
| Registration Number: | 2619232  | THE POWER MEAL!                        |

REEL: 002762 FRAME: 0202

| Registration Number: | 2087566 | VIBRANT-C    |
|----------------------|---------|--------------|
| Registration Number: | 2209377 |              |
| Registration Number: | 2202757 | ZUKA SPRINGS |
| Registration Number: | 2131274 | ZUKA JUICE   |
| Registration Number: | 2233689 | ZUKA         |
| Registration Number: | 2187725 | ZUKACCINO    |

### **CORRESPONDENCE DATA**

Fax Number: (650)213-0260

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

Phone: 650-812-1300

Email: patrademarks@manatt.com

Correspondent Name: Manatt, Phelps & Phillips, LLP

Address Line 1: 1001 Page Mill Road, Bldg. 2

Address Line 4: Palo Alto, CALIFORNIA 94304

ATTORNEY DOCKET NUMBER: 22985-037

NAME OF SUBMITTER: Mary L. Figone

**Total Attachments: 3** 

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> TRADEMARK REEL: 002762 FRAME: 0203

## Assignment of Security Interest in Trademarks

This Assignment of Security Interest in Trademarks ("Assignment") is made on this <u>/57</u> day of <u>DECEMBER</u>, 2003 by and between Fleet National Bank, whose principal place of business is located at 100 Federal Street, Boston, Massachusetts 02110, acquirer of and successor in interest to Imperial Bank ("Secured Party"), and Jamba Juice Company, 1700 17th Street, San Francisco, California 94103 ("Debtor").

1. Acknowledgment of Ownership of Security Interest by Secured Party. Secured Party and Debtor acknowledge that pursuant to Security Agreements dated November 2, 1998 and December 2, 1999, Secured Party is currently the owner of a security interest ("Security Interest") in the following trademarks and in the United States trademark registrations that correspond to the following trademarks, which fifty-five trademarks and their corresponding United States registrations shall be known hereinafter as the "Registered Marks":

|     | TRADEMARK NAME                               | U. S. REG. NO. |
|-----|--|----------------|
| 1.  | APPLE SQUEEZE                                | 2,145,968      |
| 2.  | BLACKBERRY BURST                             | 2,145,969      |
| 3.  | BOYSENBERRY BLISS                            | 1,216,828      |
| 4.  | CALYPSO GUAVA                                | 2,153,461      |
| 5.  | CARIBBEAN PASSION                            | 2,243,494      |
| 6.  | CARROT QUENCHER                              | 2,046,849      |
| 7.  | CHOCOLATE MOO'D                              | 2,174,345      |
| 8.  | CITRUS SQUEEZE                               | 2,138,335      |
| 9.  | CRANBERRY CRAZE                              | 2,099,169      |
| 10. | CRANBERRY SPLASH                             | 2,219,672      |
| 11. | DRINK YOUR NEXT MEAL                         | 2,174,423      |
| 12. | GRAPE D'VINE                                 | 2,219,671      |
| 13. | HAWAIIAN LUST                                | 2,187,103      |
| 14. | IT'S NOT JUST A SMOOTHIE, ITS A WAY OF LIFE! | 2,280,907      |
| 15. | JAMBA JUICE & DESIGN                         | 2,130,460      |
| 16. | JAMBA JUICE (STYLIZED)                       | 2,130,004      |
| 17. | JAMBA JUICE                                  | 2,014,541      |
| 18. | JAMBA JUICE                                  | 2,097,875      |
| 19. | JAMBA POWER BOOST                            | 2,344,798      |
| 20. | JAMBA  | 2,526,399      |
| 21. | JAMBOLAS                                     | 2,307,007      |
| 22. | JUICE BOOST                                  | 2,219,962      |
| 23. | JUICE CLUB WHIP IT, BEAT IT, BLEND IT!       | 1,829,996      |
| 24. | JUICE CLUB                                   | 2,183,888      |
| 25. | JUICE CLUB                                   | 2,079,260      |
| 26. | JUST PEACHY                                  | 2,072,010      |

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Assignment of Security Interest in Trademarks from Fleet National Bank to Jamba Juice Company, Inc.

TRADEMARK REEL: 002762 FRAME: 0204

|     | TRADEMARK NAME               | U. S. REG. NO. |
|-----|------------------------------|----------------|
| 27. | KIWI BERRY BURNER            | 2,256,869      |
| 28. | LIME SUBLIME                 | 2,207,974      |
| 29. | OCEAN SUNRISE                | 2,070,089      |
| 30. | ORANGE OCTANE                | 2,072,008      |
| 31. | PACIFIC PASSION              | 2,354,299      |
| 32. | PAPAYA PARADISE              | 2,126,830      |
| 33. | PEACH PLEASURE               | 2,126,829      |
| 34. | PEENYA-KOWLADA               | 2,102,423      |
| 35. | PINEAPPLE PIZAZZ             | 2,258,369      |
| 36. | PINEAPPLE SQUEEZE            | 2,145,970      |
| 37. | P-NUT BUTTER BASH            | 2,130,159      |
| 38. | POWER SMOOTHIES              | 78/295146      |
| 39. | POWERBERRY                   | 2,089,182      |
| 40. | PUMPKIN PATCH                | 2,177,914      |
| 41. | RASPBERRY RAGE               | 2,285,495      |
| 42. | RASPBERRY REFRESHER          | 2,046,850      |
| 43. | RAZZMATAZZ                   | 2,334,084      |
| 44. | SOUPRIMO                     | 2,289,574      |
| 45. | SQUEEZE THE MOST OUT OF LIFE | 2,316,842      |
| 46. | STRAWBANNA                   | 2,144,233      |
| 47. | STRAWBERRIES WILD            | 2,275,124      |
| 48. | THE COLDBUSTER               | 2,299,491      |
| 49. | THE POWER MEAL!              | 2,619,232      |
| 50. | VIBRANT-C                    | 2,087,566      |
| 51. | WHIRL/TORNADO DESIGN         | 2,209,377      |
| 52. | ZUK SPRINGS                  | 2,202,757      |
| 53. | ZUKA JUICE                   | 2,131,274      |
| 54. | ZUKA                         | 2,233,689      |
| 55. | ZUKACCINO                    | 2,187,725      |

- 2. Assignment of Security Interest in the Registered Marks to Debtor. Secured Party hereby acknowledges that the financial obligation on the part of Debtor which was secured by the Security Interest in the Registered Marks has been fulfilled by Debtor, and therefore Secured Party assigns, transfers, and conveys all of its intellectual property and other ownership rights in the Security Interest in the Registered Marks and any and all goodwill inherent in the Security Interest in the Registered Marks to Debtor.
- 3. Warranties. Secured Party warrants and represents that it has full authority to make the assignment contained herein and that it has granted no assignment, partial assignment, or license of the rights constituting the Security Interest in the Registered Marks to any other party.

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- 4. Counterparts. This Assignment may be executed in one or more counterparts, each of which shall be deemed an original and all of which shall be taken together and deemed to be one instrument.
- 5. Entire Agreement. This Assignment sets forth the entire understanding and agreement of Secured Party and Debtor and supersedes any and all other oral or written agreements or understandings between Secured Party and Debtor as to the subject matter of this Assignment. This Assignment may be changed only by a writing signed by Secured Party and Debtor.

IN WITNESS WHEREOF, Secured Party and Debtor have each caused this Assignment to be duly executed and delivered as of the date first written above.

| <b>,</b> ,     |                                   |
|----------------|-----------------------------------|
| SECURED PARTY: | FLEET NATIONAL BANK By:           |
|                | Mr. Tom Tansi, Director           |
|                | Date:                             |
| DEBTOR:        | JAMBA JUICE COMPANY, INC.  By:    |
|                | Printed name:  Kevin R. Wilkinson |
|                | Assistant Treasurer               |
|                | Date: 8 Dec. 2003                 |

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**RECORDED: 12/11/2003**