

09-17-2003

Form PTO-1594 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002)

R



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

Tab settings

102553355

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

1. Name of conveying party(ies):  
 Bank of America, N.A. (formerly known as Nationsbank, N.A.)  
 Individual(s)                       Association  
 General Partnership               Limited Partnership  
 Corporation-State  
 Other National Association 9-15-03

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

2. Name and Address of receiving party(ies)  
 Name: Kerr Group, Inc.  
 Internal Address: \_\_\_\_\_  
 Street Address: 500 New Holland Avenue  
 City: Lancaster State: PA Zip: 17602  
 Individual(s) citizenship \_\_\_\_\_  
 Association \_\_\_\_\_  
 General Partnership \_\_\_\_\_  
 Limited Partnership \_\_\_\_\_  
 Corporation-State: Delaware  
 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

3. Nature of conveyance:  
 Assignment                       Merger  
 Security Agreement               Change of Name  
 Other Termination and Release of Security Interest

Execution Date: August 13, 2003

4. Application number(s) or registration number(s):  
 A. Trademark Application No.(s)  
See Attached

B. Trademark Registration No.(s)  
See Attached

OPR/TINANCE  
 SEP 15 AM 8:54

Additional number(s) attached  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:  
 Name: Intellectual Property Docketing  
 Internal Address: SHEARMAN & STERLING  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Street Address: 599 Lexington Avenue  
 \_\_\_\_\_  
 City: New York State: NY Zip: 10022

6. Total number of applications and registrations involved: ..... 21

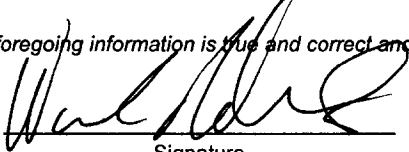
7. Total fee (37 CFR 3.41)..... \$ 540.00  
 Enclosed  
 Authorized to be charged to deposit account

8. If check is missing or otherwise insufficient, charge deposit account number:  
50-0324

(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.*

Warren L. Nachlis                                            September 10, 2003  
 Name of Person Signing                      Signature                      Date

Total number of pages including cover sheet, attachments, and document: 13

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

09/16/2003 LNUELLER 00000203 500324 75353374

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NYDOCS04/383118.1

# Continuation of Trademark Recordation Form Cover Sheet

Continuation of Box 4:

## Application Numbers

75/353,374	75/150,412	75/210,163	75/150,413
75/276,008			

## Registration Numbers

1,193,640	1,487,001	1,891,932	954,250
1,133,139	1,465,528	503,109	521,418
1,650,919	1,665,155	503,110	518,904
707,921	1,671,730	1,667,728	1,192,146

**NO ADDITIONAL PAGES**

## TERMINATION AND RELEASE OF SECURITY INTEREST IN TRADEMARKS

This TERMINATION AND RELEASE OF SECURITY INTEREST IN TRADEMARKS is entered into as of August 13, 2003 by and between BANK OF AMERICA, N.A. (formerly known as NATIONSBANK, N.A.) ("Collateral Agent"), as Administrative Agent under that certain Amended and Restated Credit Agreement dated as of March 12, 1999 (the "Credit Agreement"), and KERR GROUP, INC. ("Debtor").

### WITNESSETH:

WHEREAS, Debtor and Collateral Agent are parties to that certain Trademark Security Agreement dated as of August 26, 1997 (the "Trademark Security Agreement"), that certain Loan and Security Agreement dated as of August 26, 1997 (the "Loan and Security Agreement"), that certain Amended and Restated Trademark Security Agreement dated as of March 12, 1999 (the "Amended and Restated Trademark Security Agreement") and that certain Pledge and Security Agreement dated as of March 12, 1999 (collectively with the Trademark Security Agreement, the Loan and Security Agreement, the Amended and Restated Trademark Security Agreement and the Credit Agreement, the "Security Agreements");

WHEREAS pursuant to the Security Agreements, Debtor granted Collateral Agent a security interest in and to the Trademark Collateral (as defined in the Amended and Restated Trademark Security Agreement) including, without limitation, those certain trademarks, registered trademarks and trademark applications set forth in Schedule A (collectively, the "Trademarks"), which security interest was recorded in the Trademark Division of the United States Patent and Trademark Office on July 26, 1999 at Reel 001935; Frame 0354 and on April 25, 2000 at Reel 002070; Frame 0722; and

WHEREAS, Debtor has satisfied its obligations under the Security Agreements and Collateral Agent now desires to terminate and release the entirety of its security interests, liens and encumbrances respecting the Trademarks and restore all right, title and interest in and to the Trademarks to Debtor.

NOW, THEREFORE, for good and valuable consideration, including the satisfaction of all obligations, indebtedness and liabilities secured by the Trademarks, the receipt and adequacy of which are hereby acknowledged, and upon the terms set forth in this Termination and Release of Security Interest in Trademarks, the Collateral Agent and Debtor hereby agree as follows:

1. The Collateral Agent hereby terminates and releases in its entirety its security interests, liens and encumbrances respecting the Trademarks and hereby releases, discharges, quitclaims and relinquishes unto Debtor any and all right, title and interest in, to and under the Trademarks, including, without limitation, all registrations, applications, recording and common law rights thereto; all renewals thereof; all income, license royalties, damages and payments now or hereafter due and/or payable with respect thereto; the right to sue for past, present and future infringement thereof; all rights corresponding thereto throughout the world; and the goodwill of Debtor's business connected with and symbolized by the foregoing.

2. The Collateral Agent hereby authorizes and requests the Commissioner of Patents and Trademarks of the United States and any other applicable foreign authorities to record this release.

3. The Collateral Agent hereby agrees to duly execute, acknowledge, procure and deliver any further documents and do any other acts as may be reasonably necessary from time to time to effectuate and carry out the provisions and intent of this Termination and Release of Security Interest in Trademarks.

4. This Termination and Release of Security Interest in Trademarks shall be governed by, and construed in accordance with, the laws of the State of New York.

**IN WITNESS WHEREOF, the Collateral Agent and Debtor have caused this Termination and Release of Security Interest in Trademarks to be duly executed and delivered by its officer thereunto duly authorized as of the date first written above.**

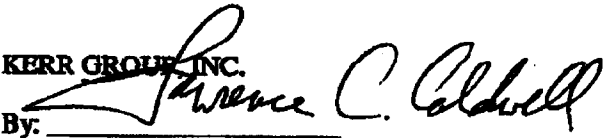
**BANK OF AMERICA, N.A.,  
(formerly known as NationsBank,  
N.A.)**

**By:** \_\_\_\_\_

**Name:** \_\_\_\_\_

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

**KERR GROUP, INC.**

**By:**  \_\_\_\_\_

**Name:** \_\_\_\_\_

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

## Schedule A

Kerr Group, Inc.  
U.S. TRADEMARK STATUS REPORT  
 January 11, 1999

Trademark	K&K Ref.	Appl. No./Filing Date	Reg. No. & Date	Goods	Status
ALA	N/A	003,511 February 28, 1956	632,680 August 4, 1956	Square wide mouth amber glass jars	Expired - Failure to file Section 8
CAROL'S KITCHEN	N/A	815,167 July 27, 1989	1,633,597 January 29, 1991	Section of a newsletter relating to kitchen products and household hints	Canceled
CLEAR PICTURE		S/N 75/353374	September 8, 1997	Published	
CR	36559/252	246,567 January 17, 1980	1,193,640	Plastic closures for containers	Registered - Ren. due April 13, 2000
CR-I	36559/253	144,833 October 17, 1977	1,133,139 April 15, 1980	Plastic closures for containers	Registered - Ren. due April 17, 2000
CR-III	36559/254	150,412	N/A	Child-resistant closures and caps	Allowed - Statement of use or first extension request due October 28, 1998
DEAR CAROL	N/A	815,166 July 27, 1989	1,631,200 January 8, 1991	Section of newsletter relating to kitchen products and household hints	Canceled
DESIGN	N/A	37,580 November 18, 1989	1,638,753 March 19, 1991	Column in a newsletter relating to kitchen products and household hints	Canceled
EXTRA CRISP	36559/255	015,754 January 2, 1990	1,650,919 July 19, 1991	Food products; namely, pickling spice mixtures	Registered - Ren. Due July 16, 2001
FRIENDLY & SAFE		S/N 75/210163	December 9, 1996	Published	
GPCRC	N/A	743,223 August 1, 1988	1,528,294 March 7, 1989	Plastic child-resistant caps	Canceled
GPSC	N/A	743,225 August 1, 1988	1,528,295 March 7, 1989	Plastic prescription snap caps	Canceled
GPV	N/A	743,224 August 1, 1998	1,530,895 March 21, 1989	Plastic prescription vials	Canceled
GRIP-TITE	36559/256	090,426 February 5, 1960	707,921 November 29, 1960	Jar lifting tongs	Registered - Ren. Due November 29, 2000
HANDI-PACK	N/A	642,059	611,253	Plastic capsule vials	Expired

<b>Trademark</b>	<b>K&amp;K Ref.</b>	<b>Appl. No./Filing Date</b>	<b>Reg. No. &amp; Date</b>	<b>Goods</b>	<b>Status</b>
RINGSEAL	N/A	041,145 March 22, 1990	1,647,186 June 11, 1991	Metal crowns for beverage containers	Canceled
SCRIPTVISION	36559/267	150,413 August 14, 1996	N/A	Bottles and vials used by pharmacists sold empty	Allowed - Statement of use or first extension request due October 28, 1998
SELF-SEALING	36559/268	533,170 September 3, 1947	521,418 February 28, 1950	Jar caps and lids	Registered - Ren. Due February 28, 2000
SELF-SEALING (STYLIZED)	36559/269	533,169 September 3, 1947	518,904 December 20, 1949	Glass jars and glass containers for use in preserving foods	Registered - Ren. Due December 20, 1999
SIERRA SUNLIGHT	N/A	084,270 August 21, 1990	1,693,083 June 9, 1992	Beverage containers	Abandoned
SUPER-SPEED	N/A	041,146 March 22, 1990	1,626,667 December 11, 1990	Metal crowns for beverage containers	Canceled
SURE-FIT	36559/271	320,778 July 27, 1981	1,192,146 March 16, 1982	Plastic closures or caps for containers	Registered - Ren. Due March 18, 2002
TE-III	36559/272	276,008 April 16, 1997	N/A	Non-metal tamper-evident closures for containers, bottles, jars and jugs	Allowed - Statement of use or first extension request due February 25, 1999
THE KERR K-I-T-C-H-E-N & DESIGN	N/A	816,855 July 27, 1989	1,621,144 November 6, 1990	Newsletters relating to kitchen products and household hints	Canceled
TURNOFF	N/A	041,869 March 26, 1990	1,627,960 December 18, 1990	Metal crowns for beverage containers	Canceled
WHEN IT COMES TO HOME CANNING... ALL YOU NEED IS KERR!	N/A	015,818 January 2, 1990	1,662,459 October 29, 1991	Jar lids; glass jars; food products; namely, pickling spices	Canceled