

5/10/04

05-18-2004

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

RECORD & TRADE



DEPARTMENT OF COMMERCE Patent and Trademark Office

102747238

To the Honorable Commissioner of Patents and Trademarks, the attached original documents or copy thereof.

1. Name of conveying party(ies): Swisher International, Inc. King Edward Technology, Inc. [ ] Individual(s) [ ] Association [ ] General Partnership [ ] Limited Partnership [x] Corporation-State [ ] Other Additional name(s) of conveying party(ies) attached? [ ] Yes [x] No

2. Name and address of receiving party(ies) Name: Fleet National Bank, N.A. Internal Address: 12th Floor, CTEH4221A Street Address: 1 Landmark Square City: Stamford State: CT Zip: 06901 [ ] Individual(s) citizenship [ ] Association [ ] General Partnership [ ] Limited Partnership [x] Corporation-State Rhode Island [ ] 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 [x] No

3. Nature of conveyance: [ ] Assignment [ ] Merger [ ] Security Agreement [ ] Change of Name [x] Other Release of Security Interest on R/F 1925/0625 Execution Date: 13 April 2004

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 [x] Yes [ ] No

5. Name and address of party to whom correspondence concerning document should be mailed: Name: Angela Brown Internal Address: Nationwide Information Services, Inc. Street Address: 52 James Street City: Albany State: NY Zip: 12207

6. Total number of applications and registrations involved: 140 7. Total fee (37 CFR 3.41) \$ 3,515.00 [x] Enclosed [ ] Authorized to be charged to deposit account 8. Deposit account number:

DO NOT USE THIS SPACE

9. Signature. Mitchell L. Garrett Name of Person Signing Signature Date 6 May 2004 Total number of pages including cover sheet, attachments, and document: 7

05/17/2004 MGETACHE 00000101 183038

01 FC:8521 02 FC:8522

40.00 DP 3475.00 DP

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



05-10-2004

U.S. Patent & TMO/TM Mail Rcpt Dt. #72

TRADEMARK REEL: 002965 FRAME: 0823

**Exhibit A**

<b><u>Mark</u></b>	<b><u>Registration Number</u></b>
LA DILIGENCIA DE M.Y.G. & Design	88,169
7-20-4 & Design	183,038
R.G. SULLIVAN'S & Design	183,039
BLACKSTONE	207,484
KING EDWARD THE SEVENTH & Portrait	219,035
LA FLAMINGO & Design	262,165
Portrait Design	274,834
KING ALBERT	275,172
SA SANTA FE Since 1887 & Design	317,621
SANTA FE & Design	317,622
S & S	343,162
Label Design	346,533
KING EDWARD MILD TOBACCOS S & S & Design	360,430
PATTIES & Design	370,307
SANTA FE	396,981
SOLITAIRE	444,356
CASA MARINA & Design	501,654
MAIL POUCH RIBBON CUT CHEWING TOBACCO & Design	501,855
MAIL POUCH Stylized	502,027
SANTA FE CHIEF	502,033
EIGHT BROTHERS Stylized	502,168
TRUMPS Stylized	502,169
WHALEN	506,972
O.B. JOYFUL Stylized	506,973
BONUS	510,619
SA SANTA FE HIGH GRADE & Design	512,431
SOCIETY Stylized	519,081

<u>Mark</u>	<u>Registration Number</u>
THREE THISTLES	519,082
VIKING Stylized	519,083
22 IN OVAL DESIGN	519,084
SANTA FE HIGH GRADE AS & Design	522,537
LADIES CHOICE Stylized	527,177
RIALTO	528,456
WORKMATE	534,601
FLAMINGO & Design	535,300
CRITERION	552,842
SUPERIOR G & Design	562,934
SQUARE & Design	567,290
NAVY	569,848
RAILROAD MILLS	573,096
DIXIE MAID HIGH GRADE CIGAR OF QUALITY & Design	577,985
ROYAL GOLD	577,986
CHECKERBERRY Stylized	578,393
STRAWBERRY Stylized	578,395
WILD CHERRY	578,396
POM POM OPERAS QUALITY CIGARS OPERAS & Design	586,551
HUNTER & Horse Design	592,138
HUNTER Stylized	596,984
KING EDWARD THE SEVENTH & Design	604,727
KING EDWARD THE SEVENTH & Portrait	604,728
EL TRELLES	622,033
Woman Design	622,034
KEEP MOVING	622,036
BACCHANTE HABANA & Design	651,960
TUB & Design	664,294
SILVER CUP & Design	665,637

<u>Mark</u>	<u>Registration Number</u>
EMS & Design	685,013
J-A	696,285
J-A & Design	696,286
COMPEER	709,845
SUAVITY	709,846
SWISHER SWEETS & Design	735,560
TREAT YOURSELF TO THE BEST	739,649
COAT OF ARMS	751,156
BESTOVAL & Design	751,157
HAMILTON-HARRIS & CO.'S HOME MADE	751,159
COAT OF ARMS INDUSTRIA SEMPER CRESCAM & Design	752,795
EL TRELLES	754,476
SCHERMERHORN'S FLAKE MIXTURE & Design	754,477
SCHERMERHORN'S & Design	754,478
SCHERMERHORN'S	754,479
FUTURA	763,778
SPANISH COLONIAL STYLE BY BERING & Design	770,226
DIXIE	787,048
UNIVERSAL	789,564
MIRAMAR	791,300
OPTIMO	794,683
LA PRIMADONNA	804,150
BOLERO	812,412
AMS & Design	819,403
Geometric Design	821,040
SMS & Design	826,754
SANTAELLAS	834,598
OLYMPIA	834,600

<u>Mark</u>	<u>Registration Number</u>
THORA	834,974
KING EDWARD	835,375
77 & Design	840,774
ULTIMA	842,741
CAMARO	847,284
EPOCA	850,888
SANTA FE & Design	868,126
BRAN-DEE	882,294
VAN DER MEER	882,740
AS YOU LIKE IT	897,243
HHS	899,078
BERING 9/09	900,064
"200"	927,158
JACKSON'S APPLEJACK	987,210
R.G. SULLIVAN'S DEXTER & Design	992,974
HADDON HALL	1,019,681
LA INTIMIDAD DE ANTONIO CARUNCHO G.&C. & Design	1,052,029
DON JULIO	1,059,528
L-D LA DILIGENCIA CALLE DE SAN MIGUEL & Design	1,089,403
BRINDLEY'S	1,098,309
CHATTANOOGA CHEW	1,107,484
GOLD RIVER	1,178,412
SILVER CREEK	1,179,453
WESTERN CUT	1,193,736
TAMPIMPORT	1,195,351
COUNTRY ROADS	1,221,983
REDWOOD	1,282,752
CIGAR BAR	1,346,967
COOPER	1,363,661

<u>Mark</u>	<u>Registration Number</u>
LANCASTER LIMITED-RESERVE CHEWING-TOBACCO & Design	1,401,491
JUDD	1,470,891
COUNTRY BLEND	1,547,631
MAIL POUCH SELECT CHEWING TOBACCO & Design	1,654,065
KING EDWARD DIAMONDS	1,693,471
BUTTERCUP	1,712,068
STARBRITE	1,724,105
HONEY BEE	1,726,093
SWISHER SWEETS	1,729,732
OUTLAWS	1,759,228
SWISHER INTERNATIONAL, INC. & Design	1,792,861
STARR VALUE	1,836,338
SUPERIOR VALUE & Design	1,890,652
SWISHER	1,908,708
HELME	1,957,231
BOWIE	1,967,254
EARL CAULFIELD'S	2,037,216
SABROSO	2,058,311
FLOR DE JALAPA	2,062,192
SUPERIOR VALUE & Design	2,070,971
SANTIAGO SILK	2,160,721
CORRAL, WODISKA'S CAZADORES	2,161,388
TIBURON	2,170,830
OPTIMO BRIGADIER	2,241,236
MACBETH	2,231,235
LA INTIMIDAD	2,232,161
WOMAN DESIGN	2,326,580

**Release of Security Interests**

WHEREAS, Swisher International, Inc., a Delaware corporation located at 20 Thorndal Circle, Darien, CT 06820 and King Edward Technology, Inc., a Delaware corporation located at 1105 North Market Street, Wilmington, DE 19801, have adopted and used the trademarks listed in Exhibit A hereto, which are registered with the U.S. Patent and Trademark Office (the "Marks"); and

WHEREAS, Fleet National Bank, a national banking association, located at One Landmark Square, 12<sup>th</sup> Floor, CTEH4221A, Stamford, CT 06901, as the successor in interest to BankBoston, N.A. holds a security interest in the Marks to satisfy certain obligations as set forth in the Security Agreement dated June 14, 1999; and

WHEREAS, such security interest has been recorded with the U.S. Patent and Trademark Office at Reel/Frame 1925/0625; and

WHEREAS, Fleet National Bank has agreed to release such security interest;

NOW, THEREFORE, for good and valuable consideration the sufficiency of which is hereby acknowledged, Fleet National Bank hereby releases and disclaims any interest, including any security interest, in and to the Marks.

The Commissioner of Patents and Trademarks is requested to amend the records of the U.S. Patent and Trademark Office to reflect the release of the security interests set forth herein.

Signed this 13<sup>th</sup> day of April, 2004.

Fleet National Bank

By: Andrew H. Harris  
Andrew H. Harris  
Senior Vice President

STATE OF: Connecticut  
COUNTY OF: Fairfield ) ss: Stamford

On this 13<sup>th</sup> day of April, 2004, before me appeared Andrew H. Harris, the person who signed this instrument, who acknowledged that he signed it as a free act on behalf of Fleet National Bank, a national banking association.

Pete S. ...  
Notary Public

My Commission Expires: 4/30/08