

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Freshtxt LLC		10/26/2010	LIMITED LIABILITY COMPANY: CALIFORNIA
RECEIVING PARTY DATA			
Name:	Heartland Payment Systems, Inc.		
Street Address:	90 Nassau Street		
City:	Princeton		
State/Country:	NEW JERSEY		
Postal Code:	08542		
Entity Type:	CORPORATION: DELAWARE		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Registration Number:	3734084	FRESHTXT	
CORRESPONDENCE DATA			
Fax Number:	(415)773-5759		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
Phone:	415 773 5700		
Email:	ipprosecutionsf@orrick.com		
Correspondent Name:	Beth M. Goldman/Elayne G. Ricci		
Address Line 1:	405 Howard Street		
Address Line 2:	Orrick, Herrington & Sutcliffe LLP		
Address Line 4:	San Francisco, CALIFORNIA 94105		
ATTORNEY DOCKET NUMBER:	21560-2		
NAME OF SUBMITTER:	Beth M. Goldman		
Signature:	/beth m. goldman/		
Date:	05/25/2011		
Total Attachments: 1 source=FRESHTXT - Assignmenta#page1.tif			

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**ASSIGNMENT OF TRADEMARK**

THIS ASSIGNMENT OF TRADEMARK is made by Freshtxt LLC, a California limited liability company, with an address at 1902 E. Rowland Avenue, West Covina, California 91791 ("Freshtxt"), in favor of Heartland Payment Systems, Inc., a Delaware corporation with an address at 90 Nassau Street, Princeton, New Jersey 08542 ("Heartland").

WHEREAS, Freshtxt owns all right, title and interest in and to the following trademark and the registration thereof (the "Mark"), and the goodwill associated therewith:

Mark	App. No. Filing Date	Reg. No. Reg. Date	Class
FRESHTXT	77/753,046 6/5/2009	3,734,084 1/5/2010	42

WHEREAS, pursuant to that certain Asset Purchase Agreement dated as of October 26, 2010 by and among Heartland Payment Systems, Inc., Freshtxt LLC, and the Members of Freshtxt LLC, Freshtxt agreed to assign the Mark to Heartland and the goodwill associated therewith;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, Freshtxt assigns to Heartland all right, title and interest in the Mark, together with the goodwill associated therewith including, without limitation, its right to sue for and collect damages for infringement or other violations of the same, including for past infringements or other violations.

IN WITNESS WHEREOF, this Assignment of Trademark has been duly executed and effective as of October 26, 2010:

**FRESHTXT LLC**

By: **HEARTLAND PAYMENT  
SYSTEMS, INC., Its Successor-In-  
Interest**

By: 

Name: CHARLES KALLENBACH

Title: GENERAL COUNSEL + CHIEF LEGAL  
OFFICER

Date: 5-25-11  
*nunc pro tunc*