

## TRADEMARK ASSIGNMENT

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	Release of Second Lien Trademarks		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Royal Bank of Canada		11/09/2012	CORPORATION: CANADA
RECEIVING PARTY DATA			
Name:	Milk Specialties Company		
Street Address:	7500 Flying Cloud Drive, Suite 500		
City:	Eden Prairie		
State/Country:	MINNESOTA		
Postal Code:	55344		
Entity Type:	CORPORATION: DELAWARE		
PROPERTY NUMBERS Total: 32			
Property Type	Number	Word Mark	
Registration Number:	3703215	ACTIVE NUTRITION FOR A HEALTHY WORLD	
Registration Number:	2127315	ADVANCE	
Registration Number:	3365023	ADVANCE ARREST	
Registration Number:	1526500	ASAP	
Registration Number:	1036561	CALF MEDIC	
Registration Number:	2945384	CALORIE PAK	
Registration Number:	0562159	CALVITA	
Registration Number:	3308587	COOL OMEGA 40	
Registration Number:	1484492	ENERGY BOOSTER 100	
Registration Number:	2289081	EXCELERATE	
Registration Number:	914078	FARMBELT BRAND MEAT PRODUCTS FARMBELT	
Registration Number:	1549664	FAT PAK	
Registration Number:	2355962	KWIX MIX	
Registration Number:	2311958	LIQUI-WEAN	

OP \$815.00 3703215

Registration Number:	3596111	MATRIX ENHANCED PROTEIN TECHNOLOGY
Registration Number:	2871860	MEGATTRACT
Registration Number:	3790879	MILK SPECIALTIES GLOBAL
Registration Number:	3535155	PERKI-LAC
Registration Number:	2934802	POWER BISCUITS
Registration Number:	2974386	POWER FRESHEN
Registration Number:	1377862	PRO-LYTE
Registration Number:	2934801	PROVANCE
Registration Number:	1058909	START TO FINISH
Registration Number:	1837694	START TO FINISH MARE & FOAL PELLETS
Registration Number:	3885378	VENTURE   DAIRY
Serial Number:	77963393	DAIRYSHARE
Serial Number:	77978127	MILK SYRUP
Serial Number:	77739251	MILK SYRUP
Serial Number:	77759355	MITO WHEY
Serial Number:	77759358	MITO WHEY PROTEIN
Serial Number:	78300995	NUTRASTART
Serial Number:	85010701	SWEET BOOST

#### CORRESPONDENCE DATA

Fax Number:

*Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.*

Email: daniel.cote@thomsonreuters.com

Correspondent Name: Robin Riley, Legal Assistant

Address Line 1: 75 East 55th Street

Address Line 2: Paul Hastings LLP

Address Line 4: New York, NEW YORK 10022

NAME OF SUBMITTER:	Robin Riley, Legal Assistant
Signature:	/daniel cote thomsonreuters/
Date:	11/12/2012

Total Attachments: 7

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**TRADEMARK**  
**REEL: 004898 FRAME: 0073**



**RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY**

To the Director of the U. S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

**1. Name of conveying party(ies):**

Royal Bank of Canada

- ☐ Individual(s) ☐ Association  
☐ General Partnership ☐ Limited Partnership  
☒ Corporation- State: Toronto, Ontario  
☐ Other \_\_\_\_\_

Citizenship (see guidelines) Canadian

Additional names of conveying parties attached? ☐ Yes ☒ No

**3. Nature of conveyance /Execution Date(s) :**

Execution Date(s) November 9, 2012

- ☐ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☒ Other Release of Second Lien Trademarks

**2. Name and address of receiving party(ies)**

Additional names, addresses, or citizenship attached? ☐ Yes ☒ No

Name: Milk Specialties Company

Internal

Address: \_\_\_\_\_

Street Address: 7500 Flying Cloud Drive, Suite 500

City: Eden Prairie

State: Minnesota

Country: USA Zip: 55344

- ☐ Association Citizenship \_\_\_\_\_  
☐ General Partnership Citizenship \_\_\_\_\_  
☐ Limited Partnership Citizenship \_\_\_\_\_  
☒ Corporation Citizenship USA - Delaware  
☐ Other \_\_\_\_\_ Citizenship \_\_\_\_\_

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)

**4. Application number(s) or registration number(s) and Identification or description of the Trademark.**

**A. Trademark Application No.(s)**

See attached Exhibit A.

**B. Trademark Registration No.(s)**

See attached Exhibit A.

Additional sheet(s) attached? ☒ Yes ☐ No

**C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):**

**5. Name & address of party to whom correspondence concerning document should be mailed:**

Name: Robin Riley, Legal Assistant

Internal Address: Paul Hastings LLP

Street Address: 75 East 55th Street

City: New York

State: NY Zip: 10022

Phone Number: 212-318-6493

Fax Number: 212-319-4090

Email Address: robinriley@paulhastings.com

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

32

**7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$**

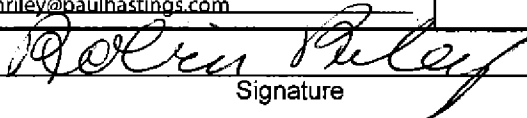
- ☐ Authorized to be charged to deposit account  
☐ Enclosed

**8. Payment Information:**

Deposit Account Number \_\_\_\_\_

Authorized User Name \_\_\_\_\_

**9. Signature:**



Signature

Robin Riley

Name of Person Signing

November 9, 2012

Date

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

7

## RELEASE OF SECOND LIEN SECURITY INTEREST IN TRADEMARKS AND PATENTS

This RELEASE OF SECOND LIEN SECURITY INTEREST IN TRADEMARKS AND PATENTS (this "Release") is dated as of November 9, 2012, by Royal Bank of Canada (the "Assignor"), acting in the capacity of collateral agent pursuant to the Security Agreement (as defined below), in favor of Milk Specialties Company (doing business as MSG Nutritional Ingredients), a Delaware corporation (the "Assignee").

### WITNESSETH:

WHEREAS, Assignee is a party to that certain Second Lien Guarantee and Collateral Agreement, dated December 23, 2011 (as amended, amended and restated, supplemented or otherwise modified from time to time, the "Security Agreement") in favor of the Assignor pursuant to which the Assignee was required to enter into and execute (i) the Second Lien Grant of Security Interest in Trademarks, dated as of December 23, 2011 (the "Trademark Security Agreement"), which was recorded with the United States Patent and Trademark Office on December 27, 2011, at Reel/Frame No. 4687/0454 and (ii) the Second Lien Grant of Security Interest in Patents, dated as of December 23, 2011, (the "Patent Security Agreement"), which was recorded with the United States Patent and Trademark Office on December 27, 2011, at Reel/Frame No. 027450/0201;

WHEREAS, pursuant to the Trademark Security Agreement, each Assignee granted to the Assignor a lien on and security interest in and to all of its right, title and interest in, to and under all of the following Collateral of such Assignee: (a) Trademarks of such Assignee listed on Schedule A attached thereto and (b) all Proceeds of any and all of the foregoing (other than Excluded Property) (the "Trademark Collateral");

WHEREAS, pursuant to the Patent Security Agreement, each Assignee granted to the Assignor a lien on and security interest in and to all of its right, title and interest in, to and under all of the following Collateral of such Assignee: (a) Patents of such Assignee listed on Schedule A attached thereto and (b) all Proceeds of any and all of the foregoing (other than Excluded Property) (the "Patent Collateral"); and

WHEREAS the Obligations are being repaid by the Assignee and the Assignor desires to terminate and release its security interest in the Trademark Collateral and Patent Collateral.

NOW, THEREFORE, in consideration of the premises and for good and valuable consideration, the sufficiency of which is hereby acknowledged, the Assignor hereby agrees as follows:

1. Definitions. Unless otherwise defined herein, capitalized terms used but not expressly defined herein shall have the meanings given to them in the Security Agreement.
2. Release of Security Interest. Assignor hereby releases and terminates its security interest under the Trademark Security Agreement and the Patent Security Agreement, in all of Assignee's rights, title and interest in, to and under the Trademark Collateral and the Patent

Collateral including, but not limited to, those United States registered trademarks and trademark applications set forth on Exhibit A hereto, and those United States registered patents and patent applications set forth on Exhibit B hereto, and hereby reassigns any and all interest that it may have therein to the applicable Assignee.

3. Filing of the Release. Assignor hereby authorizes the filing of this Release in the United States Patent and Trademark Office by the applicable Assignee, at Assignee's sole cost and expense.

[Signature Page Follows]

IN WITNESS WHEREOF, the Assignor has caused this RELEASE OF SECOND LIEN SECURITY INTEREST IN TRADEMARKS AND PATENTS to be executed by its duly authorized officer as of the date the first set forth above.

**ROYAL BANK OF CANADA** ("Assignor")

By: 

Name: YVES G. GAZDAR  
Title: VICE PRESIDENT

## EXHIBIT A

### Trademark Registrations and Applications

<b>Trademark</b>	<b>Country</b>	<b>Filing Date</b>	<b>App. No.</b>	<b>Reg. Date</b>	<b>Reg. No.</b>	<b>Status</b>
Active Nutrition for a Healthy World	United States	10/12/2008	77/590994	10/27/2009	3703215	Registered
Advance	United States	1/21/1997	75/228535	1/6/1998	2127315	Registered
Advance Arrest	United States	4/24/2007	77/164529	1/8/2008	3365023	Registered
ASAP	United States	8/1/1988	73/743277	2/28/1989	1526500	Registered
Calf Medic	United States	4/2/1975	73/048293	3/30/1976	1036561	Registered
Calorie Pak	United States	9/16/2003	78/300850	4/26/2005	2945384	Expired
Calvita	China	6/3/2009	7441690	10/28/2010	7441620	Registered
Calvita	United States	7/9/1949	71/581730	7/29/1952	0562159	Registered
Cool Omega 40	United States	5/6/2005	78/624679	10/9/2007	3308587	Registered
Dairyshare	United States	3/19/2010	77/963393			Pending
DNTP	China	6/28/2011	9650709			Pending
Energy Booster	China	4/15/2009	7326149	10/14/2010	7326149	Registered
Energy Booster	Japan	6/8/2007	2007-58248	1/9/2009	5195895	Registered
Energy Booster 100	Korea	3/8/2006	2006-0012056	10/31/2006	683734	Registered
Energy Booster 100	United States	3/27/1987	73/651656	4/12/1988	1484492	Registered
Excelerate	United States	11/12/1998	75/587320	10/26/1999	2289081	Registered
Farmbelt Brand Meat Products & Design	United States	9/29/1969	72/339122	6/8/1971	914078	Registered
Fat Pak	China	4/15/2009	7326151			Denied; Appeal filed
Fat Pak	Japan	6/8/2007	2007-058247	12/28/2007	5102021	Registered
Fat Pak	Korea	7/2/2007	2007-0035246	4/1/2008	40-0742494	Registered
Fat Pak	United States	4/9/1987	73/654032	7/25/1989	1549664	Registered
Kwix Mix (USPTO) really Kwix Mix and Design	United States	4/17/1998	75/467487	6/6/2000	2355962	Registered
Liqui-wean	United States	3/10/1999	75/657425	1/25/2000	2311958	Registered
MSC & Design	China	2/10/2011	9115653			Pending
MSC & Design	China	2/10/2011	9115652			Pending
Matrix Enhanced Protein Technology	United States	12/29/2007	77/361505	3/24/2009	3596111	Registered
Megattract	United States	9/16/2003	78/301082	8/10/2004	2871860	Abandoned **Told to abandon 8/13/2009**
Milk Specialties Global	China	6/3/2009	7441618			Denied
Milk Specialties Global	China	6/3/2009	7441619			Denied
Milk Specialties Global	United States	8/27/2008	77/557366	5/18/2010	3790879	Registered
Milk Syrup	United States	5/18/2009	77/978127			Abandoned
Milk Syrup	United States	5/18/2009	77/739251			Abandoned
Mito Whey	United States	6/15/2009	77/759355			Abandoned 8/1/2011
Mito Whey Protein	United States	6/15/2009	77/759358			Abandoned 8/1/2011
Nutrastart	United States	9/16/2003	78/300995	5/3/2005	2945910	Registered



<b>Trademark</b>	<b>Country</b>	<b>Filing Date</b>	<b>App. No.</b>	<b>Reg. Date</b>	<b>Reg. No.</b>	<b>Status</b>
Perki-Lac	United States	12/9/2007	77/347545	11/18/2008	3535155	Registered
Power Biscuits	United States	9/16/2003	78/301055	3/22/2005	2934802	Abandoned
Power Freshen	United States	1/12/2004	78/350501	7/19/2005	2974386	Registered
Preempt	Canada	3/20/1998	872819	4/27/2001	TMA 544217	Registered
Pro-Lyte	United States	7/1/1985	73/545765	1/14/1986	1377862	Registered
Provance	United States	9/16/2003	78/301027	3/22/2005	2934801	Registered
Rumin 8	China	4/15/2009	7326150	10/14/2010	7326150	Registered
Rumin 8 & Design	Taiwan	4/29/2010	99019762	1/1/2011	1447186	Registered
Start to Finish	United States	5/19/1976	73/087704	2/15/1977	1058909	Registered
Start to Finish Mare and Foal Pellets & Design	United States	9/20/1993	74/437639	5/31/1994	1837694	Registered
Sweet Boost	United States	4/9/2010	85/010,701			Pending
Venture Dairy	United States	3/19/2010	77/963202	12/7/2010	3,885,378	Registered
CF3	Japan	6/19/1998	4157196			Unknown
CF3	Japan	8/21/1998	4179232			Unknown
DEROOCHINIUKYUU DEROOCHINIKYUU	Japan	Unknown	Unknown			Unknown
DEROOCHINIUKYUU DEROOCHINIKYUU	Japan	Unknown	Unknown			Unknown

## EXHIBIT B

### Patent Registrations and Applications

<u>Patent</u>	<u>Country</u>	<u>Description</u>	<u>Filing Date</u>	<u>Application No.</u>	<u>Issue Date</u>	<u>Patent Number</u>	<u>Status</u>
Energy Booster	United States	Partial Neutralization of Free Fatty Acid Mixtures with Magnesium, Livestock Feed Compositions Including Them, and Methods of Making Same	May 20, 2011	61/488,282			Provisional Application; action due by 5/20/2012
Galacto	United States	Non-Settling Galacto-Oligosaccharide-Rich Liquid Concentrate and Related Methods and Nutritional Compositions	March 22, 2010; priority claims to 61/162,164 and 61/162,178 (March 20, 2009)	12/729,086;			Application; awaiting First Official Action from USPTO.
Sweet Carb	United States	Non-Settling Hydrolyzed Whey Permeate Concentrate and Related Methods and Nutritional Compounds	March 22, 2010; priority claims to 61/162,164 and 61/162,178 (March 20, 2009)	12/729,055; priority claims to			Application; awaiting First Official Action from USPTO.
	United States	Partial Calcification of Free Fatty Acid Mixtures, Livestock Feed Compositions including them, and Methods of Making the Same	April 7, 2010; Priority claim to 61/280,346 (November 2, 2009)	12/755,800			Application; awaiting First Official Action from USPTO.
Probiotic	United States	Probiotic for Control of Salmonella	July 29, 1992		August 23, 1994	5,340,577	Issued
Animal Feed	United States	Animal Feed Composition of Soluble Sugar and Dicarboxylic Acid	February 14, 1997	08/801,082	March 7, 2000	6,033,689	Issued; 12 year maintenance fee paid 8/10/2011
Liquid Diet	International	Liquid Diet Delivery System and Control Valve for Use Therein	October 2, 1995		May 9, 2006	WO 96-13154	Issued
Galacto	International	Non-Settling Galacto-Oligosaccharide-Rich Liquid Concentrate and Related Methods and Nutritional Compositions	March 22, 2010	PCT/US2010/00834; priority claims to 61/162,164 and 61/162,178 (March 20, 2009)			Application; National Stage Deadline 9/20/2011
Sweet Carb	International	Non-Settling Hydrolyzed Whey Permeate Concentrate and Related Methods and Nutritional Compounds	March 22, 2010	PCT/US2010/00836; priority claims to 61/162,164 and 61/162,178 (March 20, 2009)			Application; National Stage Deadline 9/20/2011