

## TRADEMARK ASSIGNMENT

Electronic Version v1.1  
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SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	RELEASE BY SECURED PARTY		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
GENERAL ELECTRIC CAPITAL CORPORATION		12/20/2012	CORPORATION: DELAWARE
RECEIVING PARTY DATA			
Name:	BIG TRAIN, INC.		
Street Address:	25392 Commercentre Drive, Suite A		
City:	Lake Forest		
State/Country:	CALIFORNIA		
Postal Code:	92630		
Entity Type:	CORPORATION: DELAWARE		
PROPERTY NUMBERS Total: 14			
Property Type	Number	Word Mark	
Serial Number:	76623440	20° BELOW	
Serial Number:	78719627	KIDZ KREAMZ	
Serial Number:	78582505	SKINNY MINNIE	
Registration Number:	2083761	BIG TRAIN	
Registration Number:	2526555	CHAI ME	
Registration Number:	2757368	CHAMBA CHAI	
Registration Number:	2818915	DRINK CHAI, EMBRACE LIFE...	
Registration Number:	2552139	EASTERN CHAI	
Registration Number:	2128070	JE MARI'S	
Registration Number:	2361511	JOIN THE ICE RAGE	
Registration Number:	2725561	LOCO COCOA	
Registration Number:	2086956	ST. MORITZ	
Registration Number:	2546114	STEAM ENGINE	
Registration Number:	2637192	UBATUBA	

TRADEMARK

**CORRESPONDENCE DATA****Fax Number:** 3142592020*Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.***Phone:** 314-259-2000**Email:** ncollora@bryancave.com**Correspondent Name:** Mark A. Paskar**Address Line 1:** 211 N. Broadway, Suite 3600**Address Line 4:** St. Louis, MISSOURI 63102-2750**ATTORNEY DOCKET NUMBER:**

C067919/0341101

**NAME OF SUBMITTER:**

Mark A. Paskar

**Signature:**

/Mark A. Paskar/

**Date:**

12/28/2012

**Total Attachments: 5**

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## **TRADEMARK RELEASE AND REASSIGNMENT**

THIS TRADEMARK RELEASE AND REASSIGNMENT is made as of December 20, 2012 by GENERAL ELECTRIC CAPITAL CORPORATION, as Agent for the Lenders ("**Agent**").

### WITNESSETH:

WHEREAS, Agent and BIG TRAIN, INC., a Delaware corporation ("**Grantor**"), were parties to that certain Trademark Security Agreement dated as of May 1, 2006 (the "**Assignment**"), pursuant to which Grantor granted a security interest to Agent in certain trademarks and trademark licenses (the "**Secured Trademarks**") as security for certain obligations owing by Grantor to Agent, including the Secured Trademarks set forth on Schedule I hereto; and

WHEREAS, the Assignment was recorded by the Trademark Division of the United States Patent and Trademark Office on May 4, 2006, at Reel 3302, Frame 0482; and

WHEREAS, Grantor has requested that Agent release its security interest in and lien on all of Grantor's right, title and interest in, to and under the Secured Trademarks and reassign the same to Grantor.

NOW THEREFORE, for good and valuable consideration, receipt and sufficiency of which are hereby acknowledged:

1. Agent hereby releases its security interest in and lien on all of Grantor's right, title and interest in, to and under the following Secured Trademarks:

(a) all of its Trademarks and all IP Licenses providing for the grant by or to such Grantor of any right under any Trademark, including, without limitation, those referred to on Schedule I hereto;

(b) all renewals and extensions of the foregoing;

(c) all goodwill of the business connected with the use of, and symbolized by, each such Trademark; and

(d) all income, royalties, proceeds and Liabilities (as defined in the Assignment) at any time due or payable or asserted under and with respect to any of the foregoing, including, without limitation, all rights to sue and recover at law or in equity for any past, present and future infringement, misappropriation, dilution, violation or other impairment thereof.

2. Agent hereby reassigns, grants and conveys to Grantor, without any representation, recourse or undertaking by Agent, all of Agent's right, title and interest in and to the Secured Trademarks.

**[Signature Page Follows.]**

IN WITNESS WHEREOF, Agent has caused this Trademark Release and Reassignment to be executed as of the day and year first above written.

**GENERAL ELECTRIC CAPITAL  
CORPORATION**, as Agent

By: Dean Jeffe  
Name: Dean Jeffe  
Title: Its Duly Authorized Signatory

**SCHEDULE I****TRADEMARKS**

United States Trademarks Pending				
Trademark	Status	Application No.	Filing Date	Goods
20 BELOW	Pending; Allowed	76/623,440	06-Dec-2004	Powdered Chocolate mix for making a frozen beverage
KIDZ KREAMZ	Pending	78/719,627	23-Sep-2005	A powdered mix for making a milkshake
SKINNY MINNIE	Pending; Allowed	78/582,505	08-Mar-2005	Powdered mix for making a frozen dessert

United States Trademarks Registered						
Trademark	Status	Application Number	Filing Date	Registration Number	Registration Date	Goods
BIG TRAIN	Registered	75/133,678	15-Jul-1996	2,083,761	29-Jul-1997	Non-alcoholic coffee-based drink
CHAI ME	Registered	75/783,034	24-Aug-1999	2,526,555	08-Jan-2002	Tea and flavored tea
CHAMBA CHAI	Registered	76/419,073	10-Jun-2002	2,757,368	26-Aug-2003	Powdered tea beverage mix
DRINK CHAI, EMBRACE LIFE	Registered	76/436,268	30-Jul-2002	2,818,915	02-Mar-2004	Tea
EASTERN CHAI	Registered	76/134,830	20-Sep-2000	2,552,139	26-Mar-2002	Tea
JE MARI'S	Registered	75/030,056	08-Dec-1995	2,128,070	13-Jan-1998	Frozen desserts, namely, frozen yogurt
JOIN THE ICE RAGE	Registered	75/568,205	09-Oct-1998	2,361,511	27-Jun-2000	Non-alcoholic coffee-based drinks
LOCO COCOA	Registered	76/322,932	09-Oct-2001	2,725,561	10-Jun-2003	Powdered hot chocolate beverage mix
ST. MORITZ	Registered	75/030,057	08-Dec-1995	2,086,956	12-Aug-1997	Frozen desserts, namely frozen yogurt
STEAM ENGINE	Registered	76/027,197	17-Apr-2000	2,546,114	12-Mar-2002	Non-alcoholic tea and coffee-based beverages
UBA TUBA	Registered	75/282,210	09-Jul-2001	2,637,192	15-Oct-2002	Powdered coffee mix

**EXHIBIT A****TRADEMARKS (continued)**

Canadian Trademarks						
Trademark	Status	Application Number	Filing Date	Registration Number	Registration Date	Goods
BIG TRAIN	Registered	1149015	07-Aug-2002	604762	10-Mar-2004	Tea, tea drinks, flavored tea, non-alcoholic coffee- based drinks, powdered smoothie mixes, powdered coffee chocolate mixes, flavored syrups for coffee or hot or cold non-alcoholic beverages
CHAI ME	Registered	1149013	07-Aug-2002	613883	30-Jun-2004	Tea and flavored tea
JOIN THE ICE RAGE	Registered	1149014	07-Aug-2002	604761	10-March-2004	Non-alcoholic coffee-based drinks

New Zealand Trademarks						
Trademark	Status	Application Number	Filing Date	Registration Number	Registration Date	Goods
BIG TRAIN	Registered	657685	24-May-2002	657685	28-Nov-2002	Ice blended coffee
CHAI ME	Registered	657684	24-May-2002	657684	28-Nov-2002	Ice blended coffee
JOIN THE ICE RAGE	Registered	657686	24-May-2002	657686	28-Nov-2002	Ice blended coffee

**Common-Law Trademarks**

Big Train, Inc. Logo (in circle)  
SKINNY MINNIE Logo (with dessert cup)  
Chai cup & saucer Logo (on boxes)  
BLAST  
STOP AND SMELL THE CHOCOLATE  
HOT CHOCOLATE. REBORN!  
NO WILL POWER NEEDED  
WOW COW  
ST. MORITZ