

04/17/2014



| DEPARTMENT OF COMMERCE tates Patent and Trademark Office

**RECOR** 

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To the Director of the U. S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.	
To the Director of the U. S. Patent and Trademark Office: Pleas  1. Name of conveying party(ies):  NewStar Fresh Foods, LLC  Individual(s) Association Partnership Limited Partnership Corporation- State: X Other_LLC  Citizenship (see guidelines)CA  Additional names of conveying parties attached? Yes X No	2. Name and address of receiving party(ies)  Additional names, addresses, or citizenship attached?  No  Name: East West Bank  Street Address: 9300 Flair Drive, 6th Floor  City: El Monte  State: CA  Country:USA  Zip: 91731  Individual(s) Citizenship
3. Nature of conveyance/Execution Date(s):  Execution Date(s) 1/13/2014  Assignment Merger  Security Agreement Change of Name  Other Commercial Pledge Agreement  4. Application number(s) or registration number(s) and A. Trademark Application No.(s)	Partnership Citizenship  Limited Partnership Citizenship  Corporation Citizenship  Citizenship  Ch  Citizenship  If assignee is not domiciled in the United States, a domestic representative designation is attached:  Yes X No (Designations must be a separate document from assignment)
C. Identification or Description of Trademark(s) (and Filing  5. Name & address of party to whom correspondence concerning document should be mailed:	Additional sheet(s) attached?  Yes No  Date if Application or Registration Number is unknown):  6. Total number of applications and registrations involved:
Name: Davida Wright  Internal Address: Loan Documentation Loan #3580012601  Street Address: 9300 Flair Drive, 6th Floor	7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$215.00  Authorized to be charged to deposit account  Enclosed
City:El Monte  State:CA Zip:91731  Phone Number: 626-371-8668  Docket Number: Email Address: davida.wright@eastwestbank.com	8. Payment Information:  Deposit Account Number 01/Ent 0505096 78539842  Authorized 15 56; Name 48.98
9. Signature:  Signature  Davida Wright  Name of Person Signing	4/2/2014  Date  Total number of pages including cover sheet, attachments, and document: 7

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to: Mail Stop Assignment Recordation Branch, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

## **EXHIBIT A**

- 1. United States Registration #3050186 and serial #78539842 with a filing date of December 29, 2004 and registration date of January 24, 2006.
- 2. United States Registration #3254675 and serial #78181512 with a filing date of November 4, 2002 and registration date of June 26, 2007.
- 3. United States Registration #2913328 and serial #78345486 with a filing date of December 24, 2003 and registration date of December 21, 2004.
- 4. United States Registration #2913326 and serial #78345467 with a filing date of December 24, 2003 and registration date of December 21, 2004.
- 5. United States Registration #2888931 and serial #78215192 with a filing date of February 14, 2003 and registration date of September 28, 2004.
- 6. United States Registration #4007918 and serial #77487941 with a filing date of May 31, 2008 and registration date of August 9, 2011.
- 7. United States Registration #3649694 and serial #77487946 with a filing date of May 31, 2008 and registration date of July 7, 2009.
- 8. United States Registration #0726314 and serial #72083642 with a filing date of October 20, 1959 and registration date of January 9, 1962United States serial #86074170 with a filing date of September 25, 2013.

## AMENDMENT NO. 1 TO COMMERCIAL PLEDGE AGREEMENT OF NEWSTAR FRESH FOODS, LLC (\$15,000,000 LOAN)

JANUARY BIMC

THIS AMENDMENT NO. 1 TO COMMERCIAL PLEDGE AGREEMENT OF NEWSTAR FRESH FOODS, LLC (\$15,000,000 LOAN) ("Amendment No. 1 to Commercial Pledge Agreement"), dated as of December 13, 2015, is entered into among NewStar Fresh Foods, LLC ("Grantor"); Big Idea Holdings, LLC, NewStar Fresh Foods, LLC, and Organicgirl Produce, LLC ("Borrowers") and East West Bank ("Lender").

## RECITALS

- 1. Grantor, Borrowers and Lender entered into a Commercial Pledge Agreement dated July 11, 2012, to secure Indebtedness evidenced by a Note dated July 11, 2012, in the original principal amount of \$15,000,000, among other things (the "NewStar Commercial Pledge Agreement for \$15,000,000 Loan").
- 2. The parties hereto wish to amend the NewStar Commercial Pledge Agreement for \$15,000,000 Loan as hereinafter provided.

NOW, THEREFORE, in consideration of the foregoing, the parties hereto hereby agree as follows:

- 1. Terms defined in the NewStar Commercial Pledge Agreement for \$15,000,000 Loan not otherwise defined herein are used herein with the same meanings as in the NewStar Commercial Pledge Agreement for \$15,000,000 Loan.
- 2. The word "investment" is hereby deleted from the paragraph headed "COLLATERAL DESCRIPTION" on page 1 of the NewStar Commercial Pledge Agreement for \$15,000,000 Loan.
- 3. The property listed on Exhibit A hereto is hereby added to the list of Trademarks in the paragraph headed "COLLATERAL DESCRIPTION" on page 1 of the NewStar Commercial Pledge Agreement for \$15,000,000 Loan.

This Amendment No. 1 to Commercial Pledge Agreement will be governed by federal law applicable to Lender and, to the extent not preempted by federal law, the laws of the State of California without regard to its conflicts of law provisions.

Grantor and Borrowers have read and understood all the provisions of this Amendment No. 1 to Commercial Pledge Agreement and agree to its terms.

GRAN	NTOR:
	STAR FRESH FOODS, LLC
	DEA HOLDINGS, LLC, Sole Member of NewStar Fresh Foods, LLC
Ву:	Monde shew
•	Mark Drever, Chief Executive Officer of Big Idea Holdings, LLC
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•	Brian McLaughlin, Chief Financial Officer of Big Idea Holdings, LLC
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<b>-</b>	Mark Drever, Chief Executive Officer of Big Idea Holdings, LLC
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Ву:	
	Brian McLaughlin, Chief Financial Officer of Big Idea Holdings, LLC
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	STAR FRESH FOODS, LLC
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Dy.	Mark Drever, Chief Executive Officer of Big Idea Holdings, LLC
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-	Brian McLaughlin, Chief Financial Officer of Big Idea Holdings, LLC
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	ANICGIRL PRODUCE, LLC
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By:	White please
<i>- y</i> .	Mark/Drever, Chief Executive Officer of Big Idea Holdings, LLC
Ву:	Ind hat
-	Brigh McNaughlin, Chief Financial Officer of Big Idea Holdings, LLC

LENDER

EAST WEST RANK

By:

Steve Seldomridge, Senior Vice President – Team Manager

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Big Idea AMENDMENT NO 1 to NewStar Commercial Pledge Agreement \$15000000

TRADEMARK REEL: 005264 FRAME: 0750