

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM361117

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	Release of Security Interest Recorded at Reel/Frame 3688/0001		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Spirit Realty, L.P.	FORMERLY Spirit Finance Acquisitions, LLC	11/02/2015	LIMITED PARTNERSHIP: DELAWARE
RECEIVING PARTY DATA			
Name:	Barbeque Integrated, Inc.		
Street Address:	8427 SouthPark Cir.		
Internal Address:	Suite 250		
City:	Orlando		
State/Country:	FLORIDA		
Postal Code:	32819		
Entity Type:	CORPORATION: DELAWARE		
PROPERTY NUMBERS Total: 13			
Property Type	Number	Word Mark	
Registration Number:	3083328	HAND RUBBED, HICKORY SMOKED, FALL OFF TH	
Registration Number:	2430025	SMOKE 'N BONES	
Registration Number:	2445137	SMOKEY BONES	
Registration Number:	2922232	SMOKEY BONES BARBEQUE & GRILL	
Registration Number:	2914352	SMOKEY BONES BARBEQUE & GRILL	
Registration Number:	2483294	SMOKEY BONES BBQ	
Registration Number:	2488846	SMOKEY BONES BBQ HOMETOWN SPORTS BAR	
Registration Number:	2536129	SMOKEY BONES BBQ SPORTS BAR	
Registration Number:	2536131	SMOKEY BONES BBQ SPORTS BAR	
Registration Number:	2375493	SMOKEY BONES BBQ	
Registration Number:	2536130	SMOKEY BONES BBQ	
Registration Number:	3098672	THE REAL FLAVOR OF A BARBEQUE	
Registration Number:	2886072	TWISTED TIMBER	
CORRESPONDENCE DATA			
Fax Number:	3128622200		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>			

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Phone: 3128628738
Email: michelle.nowicki@kirkland.com
Correspondent Name: Michelle Nowicki
Address Line 1: 300 N. LaSalle Street
Address Line 2: Kirkland & Ellis LLP
Address Line 4: Chicago, ILLINOIS 60654

ATTORNEY DOCKET NUMBER: 22660-2 MN

NAME OF SUBMITTER: Michelle Nowicki

SIGNATURE: /Michelle Nowicki/

DATE SIGNED: 11/04/2015

Total Attachments: 4

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TERMINATION AND RELEASE OF TRADEMARK SECURITY INTEREST

THIS TERMINATION AND RELEASE OF TRADEMARK SECURITY INTEREST (this "Termination"), is dated as of November 2, 2015, and made by Spirit Realty, L.P., a Delaware limited partnership, formerly known as Spirit Finance Acquisitions, LLC, (the "Lender") to Barbeque Integrated, Inc., a Delaware corporation ("Grantor").

WHEREAS, pursuant to that certain Trademark Security Agreement dated as of December 31, 2007, made by the Grantor in favor of the Lender (the "Security Agreement"), a security interest was granted by the Grantor to the Lender in the Trademark Collateral (as defined below);

WHEREAS, the Security Agreement was recorded with the United States Patent and Trademark Office on January 1, 2008, at Reel 003688 and Frame 0001; and

WHEREAS, the Lender now desires to terminate and release the Security Agreement and all liens granted pursuant thereto.

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, and upon the terms set forth in this Termination, the Lender hereby agrees as follows.

1. Definitions. All defined terms used herein but not defined herein shall have the definitions ascribed to them in the Security Agreement.


2. Release of Security Interest. The Lender hereby (i) terminates the Security Agreement, (ii) terminates, releases, and discharges its security interest in and lien upon the Collateral, including the Intellectual Property set forth on Schedule A, and (iii) reassigns, grants, and conveys to Grantor all of Lender's right, title and interest (if any) in the Collateral and the goodwill of Grantor's business connected with the use and symbolized by the Collateral.

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IN WITNESS WHEREOF, the Grantor and Lender have each caused this Termination to be executed by its duly authorized officer as of the date first written above.

SPIRIT REALTY, L.P.,
A Delaware limited partnership,
as the Lender

By Spirit General OP Holdings, LLC,
its General Partner

By: 
Name: Ryan Berry
Title: Senior Vice President - General Counsel

ACKNOWLEDGED AND ACCEPTED:

BARBEQUE INTEGRATED, INC., as Grantor

By: 

Name: Nicole Milnthorpe

Title: Chief Financial Officer

Schedule A

Trademark	Registration Number	Registration Date
Hand Rubbed, Hickory Smoked, Fall Off The Bone Ribs	3,083,328	4/18/2006
Smoke 'N Bones	2,430,025	2/20/2001
Smokey Bones	2,445,137	4/17/2001
Smokey Bones Barbeque & Grill	2,922,232	2/1/2005
Smokey Bones Barbeque & Grill	2,914,352	12/28/2004
Smokey Bones BBQ	2,483,294	8/28/2001
Smokey Bones BBQ Hometown Sports Bar	2,488,846	9/11/2001
Smokey Bones BBQ Sports Bar	2,536,129	2/5/2002
Smokey Bones BBQ Sports Bar	2,536,131	2/5/2002
Smokey Bones BBQ	2,375,493	8/8/2000
Smokey Bones BBQ	2,536,130	2/5/2002
The Real Flavor of a Barbeque	3,098,672	5/30/2006
Twisted Timber	2,886,072	9/21/2004