

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM370036

SUBMISSION TYPE:		NEW ASSIGNMENT	
NATURE OF CONVEYANCE:		RELEASE OF TRADEMARK SECURITY AGREEMENT	
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
TCW Special Situations, LLC		01/19/2016	LIMITED LIABILITY COMPANY: DELAWARE
RECEIVING PARTY DATA			
Name:	American Beverage Corporation		
Street Address:	One Daily Way		
City:	Verona		
State/Country:	PENNSYLVANIA		
Postal Code:	15147		
Entity Type:	CORPORATION: DELAWARE		
PROPERTY NUMBERS Total: 32			
Property Type	Number	Word Mark	
Registration Number:	4426863	AMERICAN BEVERAGE CORPORATION	
Registration Number:	2036600	BIG BURST	
Registration Number:	1366965	BIG HUG	
Registration Number:	1539489		
Registration Number:	0899768	DAILY'S	
Registration Number:	3181798	DAILY'S	
Registration Number:	4515644	FRUIT BARREL	
Registration Number:	4581600	GIVE A HUG. GET A SMILE.	
Registration Number:	4353836	GUZZLER	
Registration Number:	1015429	LITTLE HUG	
Registration Number:	1376177		
Registration Number:	4085151	LITTLE HUG FRUIT BARRELS	
Registration Number:	4581836	MOCHA DELIGHT	
Registration Number:	1127606		
Registration Number:	2508104	ALPINE FREEZE	
Registration Number:	0919849	TEENI-PAK	
Registration Number:	3659215	TOW AND GO PEACH MELON	
Registration Number:	3636488	TWIST 'N' CHILL	
Registration Number:	4236357	FLAVOR-LOCK TAP	
TRADEMARK			

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Property Type	Number	Word Mark
Registration Number:	3659217	LOW AND SLOW GRAPE APPLE
Registration Number:	2528534	ORCHARD CHILL
Registration Number:	4370360	RAINBOW
Registration Number:	3640787	REPTILE RAPIDS
Registration Number:	1610015	BIG JUICY
Registration Number:	2636891	CARIBBEAN GROOVE
Registration Number:	1662688	TEENI
Serial Number:	86149551	DAILY'S COCKTAILS HARD SHAKE
Serial Number:	86144910	DAILY'S COCKTAILS SPIKED SODA
Serial Number:	86467492	FIND YOUR HAPPY TASTE
Serial Number:	86202110	FIZZY, FRUITY, FUN
Serial Number:	86492148	FREEZ'EM, SQUEEZ'EM, PLEEZ'EM!
Serial Number:	86492580	HUG

CORRESPONDENCE DATA

Fax Number: 2125935955
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.
Phone: 212-756-2132
Email: scott.kareff@srz.com
Correspondent Name: S. Kareff c/o Schulte Roth & Zabel LLP
Address Line 1: 919 Third Avenue
Address Line 2: 25th Floor
Address Line 4: New York, NEW YORK 10022

ATTORNEY DOCKET NUMBER:	059182-0045
NAME OF SUBMITTER:	Scott Kareff (059182-0045)
SIGNATURE:	/kc for sk/
DATE SIGNED:	01/21/2016

Total Attachments: 6
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RELEASE OF TRADEMARK SECURITY AGREEMENT

WHEREAS, pursuant to that certain Assignment of Security Interest - - Trademarks, dated as of March 31, 2015 (the "Trademark Security Agreement"), recorded in the United States Patent and Trademark Office at Reel 5494, Frame 0256 on March 31, 2015, AMERICAN BEVERAGE CORPORATION, a Delaware corporation ("Releasee"), pledged, conveyed, sold, assigned, transferred and set over unto TCW SPECIAL SITUATIONS, LLC ("Releasor"), and granted to Releasor for the benefit of Releasor and the Secured Parties, a continuing security interest in all right, title and interest of Releasee in, to and under the trademarks and service marks listed on the attached Schedule A, which trademarks and service marks are registered or applied for in the United States Patent and Trademark Office (the "Trademarks"), together with, among other things, the good-will of the business symbolized by the Trademarks and the applications and registrations thereof, and all proceeds thereof, including, without limitation, any and all causes of action which may exist by reason of infringement thereof and any and all damages arising from past, present and future violations thereof (the "Collateral") to secure the prompt payment, performance and observance of the Secured Obligations; and


WHEREAS, Releasee has requested and Releasor has agreed to provide this Release of Trademark Security Agreement to confirm the release, relinquishment and discharge of its continuing security interest in the Collateral.

NOW, THEREFORE, in consideration of and in exchange for good and valuable consideration, Releasor hereby agrees as follows:

1. Defined Terms. All capitalized terms used but not otherwise defined herein have the meanings given to them in the Trademark Security Agreement.
2. Release of Security Interest. Releasor hereby, without any representation and warranty and without any recourse, releases, relinquishes and discharges its continuing security interest in the Collateral.

IN WITNESS WHEREOF, the parties have caused this Release of Trademark Security Agreement to be duly executed as of January 19, 2016.

TCW SPECIAL SITUATIONS, LLC

By: 
Name: Suzanne Grosso
Title: Managing Director

SCHEDULE A TO ASSIGNMENT OF SECURITY INTEREST - - TRADEMARKS

Trademarks and Trademark Applications

Owned by American Beverage Corporation

1. Registered Trademarks

Company	Country	Trademark	Application or Registration No.	Filing Date	Registration Date
AMERICAN BEVERAGE CORPORATION	UNITED STATES	AMERICAN BEVERAGE CORPORATION	4,426,863	11/2/2012	10/29/2013
AMERICAN BEVERAGE CORPORATION	UNITED STATES	BIG BURST	2,036,600	7/28/1995	2/11/1997
AMERICAN BEVERAGE CORPORATION	UNITED STATES	BIG HUG	1,366,965	12/13/1984	10/22/1985
AMERICAN BEVERAGE CORPORATION	UNITED STATES	BIG HUG CONTAINER Design	1,539,489	5/19/1986	5/16/1989
AMERICAN BEVERAGE CORPORATION	EUROPEAN UNION (CTM)	DAILY'S	004662771	9/30/2005	6/5/2010
AMERICAN BEVERAGE CORPORATION	UNITED STATES	DAILY'S & Design	899,768	11/3/1967	9/29/1970
AMERICAN BEVERAGE CORPORATION	UNITED STATES	DAILY'S & Design	3,181,798	3/14/2005	12/5/2006
AMERICAN BEVERAGE CORPORATION	EUROPEAN UNION (CTM)	DAILY'S	003566825	12/2/2003	6/5/2007
AMERICAN BEVERAGE CORPORATION	UNITED STATES	FRUIT BARREL	4,515,644	11/15/2012	4/15/2014
AMERICAN BEVERAGE CORPORATION	UNITED STATES	GIVE A HUG. GET A SMILE.	4,581,600	7/9/2013	8/5/2014
AMERICAN BEVERAGE CORPORATION	UNITED STATES	GUZZLER	4,353,836	10/25/2012	6/18/2013
AMERICAN BEVERAGE CORPORATION	UNITED STATES	LITTLE HUG	1,015,429	4/5/1974	7/8/1975

Company	Country	Trademark	Application or Registration No.	Filing Date	Registration Date
AMERICAN BEVERAGE CORPORATION	UNITED STATES	LITTLE HUG BOTTLE Design	1,376,177	5/5/1983	12/17/1985
AMERICAN BEVERAGE CORPORATION	UNITED STATES	LITTLE HUG FRUIT BARRELS	4,085,151	3/8/2011	1/10/2012
AMERICAN BEVERAGE CORPORATION	UNITED STATES	MOCHA DELIGHT	4,581,836	10/3/2013	8/5/2014
AMERICAN BEVERAGE CORPORATION	UNITED STATES	TWO-EARED BOTTLE Design	1,127,606	8/15/1975	12/11/1979
AMERICAN BEVERAGE CORPORATION	UNITED STATES	ALPINE FREEZE	2,508,104	3/2/2000	11/13/2001
AMERICAN BEVERAGE CORPORATION	UNITED STATES	TEENI-PAK ¹	919,849	2/12/1970	9/7/1971
AMERICAN BEVERAGE CORPORATION	UNITED STATES	TOW AND GO PEACH MELLON	3,659,215	8/25/2008	7/21/2009
AMERICAN BEVERAGE CORPORATION	UNITED STATES	TWIST 'N' CHILL	3,636,488	4/21/2008	6/9/2009
AMERICAN BEVERAGE CORPORATION	UNITED STATES	FLAVOR-LOCK TAP	4,236,357	10/5/2011	11/6/2012
AMERICAN BEVERAGE CORPORATION	UNITED STATES	LOW AND SLOW GRAPE APPLE	3,659,217	8/25/2008	7/21/2009
AMERICAN BEVERAGE CORPORATION	UNITED STATES	ORCHARD CHILL	2,528,534	3/24/2000	1/8/2002
AMERICAN BEVERAGE CORPORATION	UNITED STATES	RAINBOW	4,370,360	8/12/2004	7/23/2013
AMERICAN BEVERAGE CORPORATION	UNITED STATES	REPTILE RAPIDS	3,640,787	3/17/2008	6/16/2009

¹ Should be marked abandoned by trademark office for failure to renew.

Company	Country	Trademark	Application or Registration No.	Filing Date	Registration Date
AMERICAN BEVERAGE CORPORATION	UNITED STATES	BIG JUICY	1,610,015	10/30/1989	8/14/1990
AMERICAN BEVERAGE CORPORATION	UNITED STATES	CARIBBEAN GROOVE	2,636,891	2/12/2001	10/15/2002
AMERICAN BEVERAGE CORPORATION	UNITED STATES	TEENI ²	1,662,688	3/7/1990	10/29/1991

2. Trademark Applications

Company	Country	Trademark	Application or Registration No.	Filing Date	Registration Date
AMERICAN BEVERAGE CORPORATION	UNITED STATES	DAILY'S COCKTAILS HARD SHAKE	86/149,551	12/20/2013	N/A
AMERICAN BEVERAGE CORPORATION	UNITED STATES	DAILY'S COCKTAILS SPIKED SODA	86/144,910	12/16/2013	N/A
AMERICAN BEVERAGE CORPORATION	UNITED STATES	FIND YOUR HAPPY TASTE	86/467,492	12/1/2014	N/A
AMERICAN BEVERAGE CORPORATION	UNITED STATES	FIZZY, FRUITY, FUN	86/202,110	2/24/2014	N/A
AMERICAN BEVERAGE CORPORATION	UNITED STATES	FREEZ'EM, SQUEEZ'EM, PLEEZ'EM!	86/492,148	12/30/2014	N/A

² Should be marked abandoned by trademark office for failure to renew.

Company	Country	Trademark	Application or Registration No.	Filing Date	Registration Date
AMERICAN BEVERAGE CORPORATION	UNITED STATES	HUG	86/492,580	12/30/2014	N/A
AMERICAN BEVERAGE CORPORATION	COLOMBIA	LITTLE HUG	14223438	1/20/2015 ³	N/A
AMERICAN BEVERAGE CORPORATION	COLOMBIA	HUG WATER	14222092	1/20/2015 ⁴	N/A

³ This is the date this application was assigned to ABC.

⁴ This is the date this application was assigned to ABC.