

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM398433

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	NUNC PRO TUNC ASSIGNMENT		
<b>EFFECTIVE DATE:</b>	05/14/2016		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
KIND LLC		08/25/2016	Limited Liability Company: DELAWARE
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	KIND Inc.		
<b>Street Address:</b>	1372 Broadway, 3rd Floor		
<b>City:</b>	New York		
<b>State/Country:</b>	NEW YORK		
<b>Postal Code:</b>	10018		
<b>Entity Type:</b>	Corporation: DELAWARE		
<b>PROPERTY NUMBERS Total: 1</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Serial Number:</b>	85579711	KIND	
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>	2126096921		
<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>			
<b>Phone:</b>	(212) 609-6800		
<b>Email:</b>	mwallach@mccarter.com, dlynch@mccarter.com		
<b>Correspondent Name:</b>	Margarita Wallach, Esq.		
<b>Address Line 1:</b>	McCarter & English, LLP		
<b>Address Line 2:</b>	245 Park Avenue, 27th Floor		
<b>Address Line 4:</b>	New York, NEW YORK 10167		
<b>ATTORNEY DOCKET NUMBER:</b>	125929/00035		
<b>NAME OF SUBMITTER:</b>	Margarita Wallach, Esq.		
<b>SIGNATURE:</b>	/mw/		
<b>DATE SIGNED:</b>	09/14/2016		
<b>Total Attachments: 3</b>			
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## NUNC PRO TUNC TRADEMARK ASSIGNMENT

This *Nunc Pro Tunc* Trademark Assignment is effective as of May 14, 2016 between KIND LLC, a Delaware limited liability company, with a business address of 1372 Broadway, New York, New York 10018, United States ("Assignor"), and KIND Inc., a Delaware corporation, with a business address of 1372 Broadway, New York, New York 10018 ("Assignee").

**WHEREAS**, Assignor is the owner of a certain trademark represented by the trademark registration in the form described in Exhibit A hereto (collectively the "Mark");

**WHEREAS**, Assignor desires to assign and Assignee desires to receive *nunc pro tunc* all of Assignor's right, title and interest in and to the Mark and any and all goodwill of the business associated with the Mark, and all application(s) and registration(s) for the foregoing.

**NOW, THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby distributes, transfers, assigns, and otherwise conveys *nunc pro tunc* to Assignee, its successors and assigns, all of Assignor's right, title, and interest in and to the Mark as it exists in the United States and as may be created or acquired at any date in the future in the United States, along with the goodwill of the business symbolized by or associated with the Mark, all application(s) and registration(s) for the Mark, along with all rights to proceeds of the foregoing, including without limitation, income, royalties, damages, profits and payments now or hereafter due or payable with respect thereto, and any and all rights of action of Assignor, and the right to take proceedings and to seek and recover damages and all other available remedies, against third parties for past, present, or future infringement of the Mark.

Assignor shall take such actions and shall execute and deliver all such further instruments, documents or other writings, and perform any other reasonable acts that Assignee may request, that may be necessary or appropriate to carry out and effectuate the provisions of this Assignment and to establish, enforce or defend Assignee's rights in the Mark in the United States.

At the request and expense of Assignee, Assignor shall provide all reasonable assistance which Assignee considers necessary in connection with bringing or defending any proceedings in relation to the Mark.

IN WITNESS WHEREOF, the parties hereto have executed this Assignment effective as of the date first set forth above.

**KIND LLC**

By: 

Name: Justin Mervis

Title: VP of General Counsel

Date: August 25<sup>th</sup>, 2016

**KIND Inc.**

By: 

Name: Justin Mervis

Title: VP of General Counsel

Date: August 25<sup>th</sup>, 2016

**SCHEDULE A**

**UNITED STATES  
APPLICATION(S) / REGISTRATION(S)**

<b>TRADEMARK</b>	<b>APPLICATION NUMBER</b>	<b>REGISTRATION NUMBER</b>	<b>REGISTRATION DATE</b>	<b>GOODS</b>
KIND	85/579,711	5,013,102	August 2, 2016	Class 32: Non-alcoholic beverages, namely, fruit juices, fruit and vegetable juices, flavored water