

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM414507

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	RELEASE OF SECURITY INTEREST
SEQUENCE:	3

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
Cerberus Business Finance, LLC		02/01/2017	Limited Liability Company:

RECEIVING PARTY DATA

Name:	Garden Fresh Restaurant Corp.
Street Address:	15822 Bernardo Center Drive, Suite A
City:	San Diego
State/Country:	CALIFORNIA
Postal Code:	92127
Entity Type:	Corporation: DELAWARE

PROPERTY NUMBERS Total: 20

Property Type	Number	Word Mark
Registration Number:	1913980	SWEET TOMATOES
Registration Number:	1383741	SOUPLANTATION
Registration Number:	3792257	ALBONDIGAS LOCAS SOUP
Registration Number:	3792258	JOAN'S BROCCOLI MADNESS
Registration Number:	3103947	
Registration Number:	3100808	
Registration Number:	3828375	WONTON CHICKEN HAPPINESS
Registration Number:	2072184	GARDEN FRESH RESTAURANT CORP.
Registration Number:	2592113	SWEET TOMATOES
Registration Number:	4341648	FIELD KITCHEN
Registration Number:	4341649	SWEET TOMATOES FIELD KITCHEN
Registration Number:	4730453	DESIGN YOUR OWN DELICIOUS
Registration Number:	2449944	SOUPLANTATION
Registration Number:	2500463	LOTS TO FEEL GOOD ABOUT
Registration Number:	1663057	SWEET TOMATOES
Registration Number:	2862656	GARDEN FRESH
Registration Number:	2874348	CLUB VEG
Serial Number:	86772821	FARM-TO-TABLE-TO-FARM

TRADEMARK

Property Type	Number	Word Mark
Serial Number:	86813378	GARDEN FARM TO-TABLE-TO FARM FRESH
Serial Number:	87092971	WONTON HAPPINESS

CORRESPONDENCE DATA

Fax Number: 3104079090

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: 310-407-4091

Email: rsmith@ktbslaw.com

Correspondent Name: Robert Smith

Address Line 1: 1999 Avenue of the Stars, 39th Floor

Address Line 4: Los Angeles, CALIFORNIA 90067

NAME OF SUBMITTER:	Robert Smith
SIGNATURE:	/Robert Smith/
DATE SIGNED:	02/01/2017

Total Attachments: 5

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RELEASE OF SECURITY INTEREST IN TRADEMARKS

This Release of Security Interest in Trademarks (this “**Release**”) is made as of February 1, 2017, by Cerberus Business Finance, LLC, in its capacity as collateral agent for the Secured Parties (the “**Agent**”) for the benefit of Garden Fresh Restaurant Corp. (the “**Grantor**”). Capitalized terms used but not otherwise defined herein shall have the respective meanings ascribed thereto in the Security Agreement.

W I T N E S S E T H:

WHEREAS, the Grantor and the Agent are parties to that certain Grant of a Security Interest – Trademarks, dated as of October 2, 2013 (as amended, restated, supplemented or otherwise modified through the date hereof, the “**Security Agreement**”), pursuant to which the Grantor granted to the Agent for the benefit of the Secured Parties, a security interest in the IP Collateral, which includes all Trademarks, together with all goodwill associated therewith and symbolized thereby and the application and registrations thereof, and proceeds thereof, including, without limitation, any and all causes of action arising out of or relating to any infringement thereof and any rights to recover from past, present and future violations thereof, including those set forth on Schedule A under the heading “Trademark Registrations and Applications”;

WHEREAS, the Security Agreement was recorded in the United States Patent and Trademark Office at Reel 5123 and Frame 0640 on October 3, 2013; and

WHEREAS, the Grantor has requested that the Agent release, and the Agent is willing to release its lien on and security interest in, and any other right, title, and interest it may have in, to and under the IP Collateral.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Agent hereby agrees as follows:

1. The Agent does hereby terminate the Security Agreement and terminate, release, discharge and reassigns to the Grantor the entirety of any and all security interests that it may have in, and all claims, whether presently existing or hereafter acquired or created, pursuant to the Security Agreement to the IP Collateral, together with the goodwill of the business symbolized thereby, and any right, title or interest of the Agent in such IP Collateral, if any, shall hereby terminate, cease and become void; provided, however, that any provisions contained in a Security Document that, by its respective terms, survive the termination of the respective Security Document shall not be terminated hereby.

2. THIS RELEASE AND THE RIGHTS AND OBLIGATIONS OF THE PARTIES HEREUNDER SHALL BE GOVERNED BY, AND SHALL BE CONSTRUED AND ENFORCED IN ACCORDANCE WITH, THE LAWS OF THE STATE OF NEW YORK.

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IN WITNESS WHEREOF, the undersigned has caused this Release of Security Interest in Trademarks to be executed and delivered as of the date first written above.

**CERBERUS BUSINESS FINANCE, LLC, as
Agent**

By: 

Name: *Joe Maccarato*

Title: *Chief Operating Officer*

[SIGNATURE PAGE TO SECURITY INTEREST IN TRADEMARKS]

**TRADEMARK
REEL: 005979 FRAME: 0078**

SCHEDULE A
to
RELEASE OF SECURITY INTEREST IN TRADEMARKS

TRADEMARK REGISTRATIONS AND APPLICATIONS

Mark	Reg. No./ App. No.	Full Goods/Services	Status
SWEET TOMATOES AND DESIGN	RN: 1913980 SN: 74548259	(Int'l Class: 42) restaurant and catering services	Renewed August 22, 2005
SOUPLANTATION	RN: 1383741 SN: 73492498	(Int'l Class: 42) restaurant and catering services	Renewed February 18, 2006
ALBONDIGAS LOCAS SOUP	RN: 3792257 SN: 77735903	(Int'l Class: 29) soup	Registered May 25, 2010
JOAN'S BROCCOLI MADNESS	RN: 3792258 SN: 77735945	(Int'l Class: 29) vegetable salad	Registered May 25, 2010
WHOLE TOMATO DESIGN	RN: 3103947 SN: 78/661910	(Int'l Class: 43) restaurant and carry out service	Registered 8 & 15 June 12, 2012
HALF TOMATO DESIGN	RN: 3100808 SN: 78/661847	(Int'l Class: 43) restaurant and carry out services	Registered 8 & 15 June 12, 2012
WONTON CHICKEN HAPPINESS	RN: 3828375 SN: 77979856	(Int'l Class: 29) tossed garden salad for retail sale, catering or for on-site consumption	Registered August 3, 2010
GARDEN FRESH RESTAURANT CORP.	RN: 2072184 SN: 74577537	(Int'l Class: 42) restaurant and catering services	Renewed June 17, 2007

Mark	Reg. No./ App. No.	Full Goods/Services	Status
SWEET TOMATOES	RN: 2592113 SN: 75727961	(Int'l Class: 42) carry out restaurant services	Renewed July 9, 2012
FIELD KITCHEN	RN: 4341648 SN: 85720155	(Int'l Class: 43) restaurant, catering and take-out services	Registered May 28, 2013
SWEET TOMATOES FIELD KITCHEN	RN: 4341649 SN: 85720220	(Int'l Class: 43) restaurant, catering and take-out services	Registered May 28, 2013
DESIGN YOUR OWN DELICIOUS	RN: 4730453 SN: 86295246	(Int'l Class: 43) restaurant, catering and take-out services	Registered May 5, 2015
SOUPLANTATION	RN: 2449944 SN: 75727804	(Int'l Class: 42) carry out services	Renewed May 8, 2011
LOTS TO FEEL GOOD ABOUT	RN: 2500463 SN: 76203322	(Int'l Class: 42) restaurant, catering and carry out services	Renewed October 23, 2011
SWEET TOMATOES	RN: 1663057 SN: 74035742	(Int'l Class: 42) restaurant and catering services	Renewed October 29, 2011
GARDEN FRESH	RN: 2862656 SN: 78216631	(Int'l Class: 43) restaurant, carry out and catering services	Renewed July 13, 2014
CLUB VEG	RN: 2874348 SN: 78204221	(Int'l Class: 38) electronic mail services, namely providing e-mail alerts regarding menu items and services offered at restaurants	Renewed August 17, 2014
FARM-TO-TABLE-TO- FARM	AN: 86/772821	(Int'l Class: 43) Restaurant, carry out services, and catering services.	Pending Filed: September 29, 2015

Mark	Reg. No./ App. No.	Full Goods/Services	Status
FARM-TO-TABLE-TO-FARM LOGO	AN: 86/813378	(Int'l Class: 43) Restaurant service, carry out services and catering services.	Pending Filed: November 9, 2015
WONTON HAPPINESS	SN: 87092971	(Int'l Class: 29) Tossed garden salad for retail sale, catering or for on-site consumption.	Pending