# OP \$65.00 2588219

# TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1 ETAS ID: TM419751 Stylesheet Version v1.2

SUBMISSION TYPE: NEW ASSIGNMENT

NATURE OF CONVEYANCE: RELEASE OF SECURITY INTEREST

SEQUENCE: 1

## **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type	
Eagle Fund II, L.P.		03/10/2017	Limited Partnership: MISSOURI	

#### **RECEIVING PARTY DATA**

Name:	Colorado Premium Deli, LLC,		
Street Address:	2035 2nd Avenue		
City:	Greeley		
State/Country:	COLORADO		
Postal Code:	80631		
Entity Type:	Limited Liability Company: COLORADO		

#### **PROPERTY NUMBERS Total: 2**

Property Type	Number	Word Mark
Registration Number:	2588219	DELI KING
Registration Number:	2763861	NATIONAL DELI

## **CORRESPONDENCE DATA**

Fax Number:

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:** 3036683952

**Email:** kris@managed-legal-services.com

Correspondent Name: Kristine Miller

Address Line 1: 1740 Columbine Avenue
Address Line 2: Managed Legal Services

Address Line 4: BOULDER, COLORADO 80302-7915

NAME OF SUBMITTER: Kristine Miller, Colorado Bar Member

SIGNATURE: /Kristine Miller/

DATE SIGNED: 03/15/2017

**Total Attachments: 3** 

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#### TERMINATION AND RELEASE OF SECURITY INTEREST IN TRADEMARKS

This **TERMINATION AND RELEASE OF SECURITY INTEREST IN TRADEMARKS**, dated as of March 10, 2017 ("Release"), is made by Eagle Fund II, L.P., a Missouri limited partnership, in its capacity as Collateral Agent ("Secured Party"), in favor of Colorado Premium Deli, LLC (as successor in interest to National Deli, LLC), a Colorado limited liability company ("Debtor").

WHEREAS, pursuant to that certain Note Purchase Agreement dated as of November 8, 2010 (as amended, restated, supplemented, modified, extended, renewed or replaced from time to time, the "Note Purchase Agreement") by and among the Debtor, Secured Party, and others party thereto and the Trademark Security Agreement dated as of November 8, 2010 ("Trademark Security Agreement") by and among the Debtor and Secured Party, Debtor granted to the Secured Party a continuing security interest in and to, and a Lien on, all of the Trademark Collateral, including, but not limited to, the foregoing listed on Schedule A attached hereto; and

**WHEREAS**, the Trademark Security Agreement was recorded at the United States Patent and Trademark Office ("<u>USPTO</u>") on November 11, 2010 at Reel 4412 Frame 0870.

**NOW THEREFORE**, in consideration of the mutual promises and undertakings set forth herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and with the intention of being legally bound hereby, Secured Party and Debtor agree as follows:

**SECTION 1.** <u>Defined Terms</u>. Capitalized terms used herein without definition shall have the meanings ascribed to such terms in the Note Purchase Agreement or Trademark Security Agreement.

## **SECTION 2**. Termination and Release. Secured Party hereby:

- (a) absolutely, unconditionally and irrevocably terminates the Trademark Security Agreement;
- (b) absolutely, unconditionally and irrevocably terminates, cancels, forever discharges, and releases security interest in and lien on the Trademark Collateral, including, but not limited to, the foregoing listed on Schedule A attached hereto;
  - (c) authorizes the recordation of this Release with the USPTO at Debtor's expense.

IN WITNESS WHEREOF, the Secured Party has caused this Termination and Release of Security Interest in Trademarks to be duly executed as of the date first set forth above.

Secured Party:

Eagle Fund II, L.P.

BY: EAGLE FUND II PARTNERS, LLC

Its: General Partner

BY: EAGLE PRIVATE CAPITAL, LLC

Its: Agent

By: Name: Benjamin M. Geis

Title: Director

## Schedule A

# U.S. Trademarks Subject to Security Interest Granted by National Deli, LLC In Favor of Eagle Fund II, L.P. Recorded November 11, 2010 at Reel 4412 Frame 0870

# **Trademark Registrations**

Mandk Asset Mandk	Reg. No. 4	a allegadnie
NATIONAL DELI and Design	2763861	09/16/03
DELI KING	2588219	07/02/02

TRADEMARK REEL: 006012 FRAME: 0092

**RECORDED: 03/15/2017**