

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
 Stylesheet Version v1.2

ETAS ID: TM436138

<b>SUBMISSION TYPE:</b>	RESUBMISSION
<b>NATURE OF CONVEYANCE:</b>	Release of Security Interest recorded at Reel/Frame Nos. 2573/0591 and 2689/0372
<b>RESUBMIT DOCUMENT ID:</b>	900412514

## CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
Wells Fargo Bank, N.A., as successor by merger to Wachovia Bank National Association, as successor by merger to First Union National Bank, as Administrative Agent		06/30/2017	National Banking Association: UNITED STATES

## RECEIVING PARTY DATA

<b>Name:</b>	DTMC, Inc.
<b>Also Known As:</b>	n/k/a, through a series of assignments and name changes, BORDEN DAIRY COMPANY OF SOUTH CAROLINA, LLC (a South Carolina limited liability company)
<b>Street Address:</b>	8750 N. Central Expressway
<b>Internal Address:</b>	Suite 400
<b>City:</b>	Dallas
<b>State/Country:</b>	TEXAS
<b>Postal Code:</b>	75231
<b>Entity Type:</b>	Corporation: DELAWARE

## PROPERTY NUMBERS Total: 2

Property Type	Number	Word Mark
<b>Registration Number:</b>	0921212	BETTER THAN IT HAS TO BE
<b>Registration Number:</b>	0903961	C

## CORRESPONDENCE DATA

**Fax Number:** 7045032622

*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:** 704 503 2600

**Email:** vbantug@kslaw.com

**Correspondent Name:** KING & SPALDING

**Address Line 1:** 100 N TRYON STREET

**Address Line 2:** SUITE 3900

**Address Line 4:** CHARLOTTE, NORTH CAROLINA 28202

TRADEMARK

<b>ATTORNEY DOCKET NUMBER:</b>	18876.015100
<b>NAME OF SUBMITTER:</b>	Vicky R. Bantug
<b>SIGNATURE:</b>	/Vicky R. Bantug/
<b>DATE SIGNED:</b>	07/21/2017

**Total Attachments: 4**

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RELEASE OF TRADEMARK SECURITY INTERESTS dated as of June 30, 2017 (this "**Release**"), by WELLS FARGO BANK, N.A. ("Wells Fargo"), as successor by merger to Wachovia Bank National Association ("Wachovia"), as successor by merger to First Union National Bank ("First Union"), as Administrative Agent in the Security Agreement dated December 21, 2001 (the "Security Agreement"), in certain trademark registrations now held by Borden Dairy Company of South Carolina, LLC.

A. The trademarks BETTER THAN IT HAS TO BE (U.S. Registration No. 921,212) and C [stylized] (U.S. Registration No. 903,961) (the "Trademark Collateral") as listed in Schedule 1 hereto were previously owned by Coburg Dairy, Inc. and by DTMC, Inc. and now, through a series of assignments and name changes, are owned by Borden Dairy Company of South Carolina, LLC. At the time the Trademark Collateral was owned by DTMC, Inc., and pursuant to the Security Agreement dated December 21, 2001, by and between Grantor DTMC, Inc. and First Union (a predecessor by merger to Wachovia, which is a predecessor by merger to Wells Fargo), Grantor granted to First Union (a predecessor by merger to Wachovia, which is a predecessor by merger to Wells Fargo) a security interest in the Trademark Collateral. This security interest was recorded with the U.S. Patent and Trademark Office (the "USPTO") at Reel & Frame No. 2573/0591 on September 11, 2002.

B. Pursuant to the Security Agreement dated December 21, 2001, by and between Grantor DTMC, Inc. and First Union (a predecessor by merger to Wachovia, which is a predecessor by merger to Wells Fargo), Grantor granted to First Union (a predecessor by merger to Wachovia, which is a predecessor by merger to Wells Fargo) a security interest in certain of Grantor's assets, namely, the trademark BETTER THAN IT HAS TO BE (U.S. Registration No. 921,212), which is included within the Trademark Collateral, as listed in Schedule 2 hereto. This security interest was also recorded with the U.S. Patent and Trademark Office (the "USPTO") at Reel/Frame # 2689/0372 on July 25, 2003.

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Wells Fargo (as successor by merger to Wachovia, as successor by merger to First Union) does hereby release, relinquish and discharge any and all security interests it has against the Trademark Collateral of the Grantor and its successors and assigns as set forth in this Release and the Schedules 1 and 2 hereto. Wells Fargo (as successor by merger to Wachovia, as successor by merger to First Union) agrees to make all necessary filings with the USPTO and other necessary filings, including without limitation those requested by Borden Dairy Company of South Carolina, LLC or any of its parent or affiliate companies, to evidence the release and termination of the security interests of Wells Fargo (as successor by merger to Wachovia, as successor by merger to First Union) in the Trademark Collateral listed on Schedules 1 and 2 attached hereto.

THIS RELEASE SHALL BE GOVERNED BY AND CONSTRUED IN ACCORDANCE WITH THE LAWS OF THE STATE OF NEW YORK AND SHALL BE BINDING UPON WELLS FARGO'S REPRESENTATIVES, SUCCESSORS, ASSIGNS AND TRANSFEREES.

IN WITNESS WHEREOF, the Administrative Agent has caused this Release to be duly executed as of the day and year first above written.

WELLS FARGO BANK, N.A., AS  
SUCCESSOR BY MERGER TO  
WACHOVIA BANK NATIONAL  
ASSOCIATION, AS SUCCESSOR BY  
MERGER TO FIRST UNION NATIONAL  
BANK, as Administrative Agent,

By 

Name:


Title:

Don Deaton  
VP

**SCHEDULE 1**

Security Interest Between DTMC, INC. (Assignor) and FIRST UNION NATIONAL BANK (a predecessor by merger to Wachovia, which is a predecessor by merger to Wells Fargo), AS ADMINISTRATIVE AGENT (Assignee)

(Reel & Frame No. 2573/0591, Recorded September 11, 2002)

Mark	Owner	Reg. No.	Reg. Date
BETTER THAN IT HAS TO BE	BORDEN DAIRY COMPANY OF SOUTH CAROLINA, LLC	921212	Sep. 28, 1971
	BORDEN DAIRY COMPANY OF SOUTH CAROLINA, LLC	903961	Dec. 08, 1970

## SCHEDULE 2

Security Interest Between DTMC, INC. (Assignor) and FIRST UNION NATIONAL BANK (a predecessor by merger to Wachovia, which is a predecessor by merger to Wells Fargo), AS ADMINISTRATIVE AGENT (Assignee)

(Reel & Frame No. 2689/0372, Recorded July 25, 2003)

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Mark	Owner	Reg. No.	Reg. Date
BETTER THAN IT HAS TO BE	BORDEN DAIRY COMPANY OF SOUTH CAROLINA, LLC	921212	Sep. 28, 1971

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