# OP \$1090.00 2250573

# TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1 Stylesheet Version v1.2 ETAS ID: TM454580

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	SECURITY INTEREST

#### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Citibank, N.A., as Administrative Agent		10/30/2017	Chartered Bank:

#### **RECEIVING PARTY DATA**

Name:	IVP, LLC
Street Address:	11010 Hopkins Street
City:	Mira Loma
State/Country:	CALIFORNIA
Postal Code:	91752
Entity Type:	Limited Liability Company: DELAWARE

#### **PROPERTY NUMBERS Total: 43**

Property Type	Number	Word Mark
Registration Number:	2250573	ACTIVE KIDS
Registration Number:	2743427	CENTURY ACTIVE
Registration Number:	3851283	CENTURY ACTIVE PERFORMANCE
Registration Number:	3325048	CENTURY ADVANTAGE
Registration Number:	1881142	CENTURY SENIOR
Registration Number:	2694066	ESTROPLUS
Registration Number:	3755052	MEGASELECT
Registration Number:	3233833	
Registration Number:	3233831	
Registration Number:	3233828	
Registration Number:	3233830	
Registration Number:	3233834	
Registration Number:	3230133	
Registration Number:	3233829	
Registration Number:	3233832	
Registration Number:	4188201	VITAMIN FINDER
Registration Number:	4017304	YOUR VITAMIN FINDER
Registration Number:	4273204	COMFORT FLEX
Registration Number:	4227282	MEGA KRILL
		TRADEMARK

900432188 REEL: 006228 FRAME: 0606

Property Type	Number	Word Mark
Registration Number:	4285309	4X PROBIOTIC
Registration Number:	4381261	VITA-MINI
Registration Number:	4381332	VISIONSHIELD
Registration Number:	4483778	4X
Registration Number:	4482493	4X COMFORT FLEX
Registration Number:	4556876	4X IMMUNE
Registration Number:	4552671	4X ADVANCED EYE HEALTH
Registration Number:	4467909	INSYNC
Registration Number:	4467923	GI GUARD
Registration Number:	4752415	BIO-RELEASE
Registration Number:	4467924	4X PROSTATE HEALTH
Serial Number:	86075864	FLEX FREE
Serial Number:	86582819	6X
Serial Number:	86755738	JEMS
Serial Number:	86755735	VITASENSE
Serial Number:	86779473	VITAFLAV
Serial Number:	85685077	COMPLETE ADVANTAGE
Serial Number:	86218629	VITAROO
Serial Number:	86422986	MULTI-SPLASH
Serial Number:	86422980	GUMMY-SPLASH
Serial Number:	86454301	DUOBIOTIC
Serial Number:	86525851	X PROBIOTIC
Serial Number:	86525858	X DIGESTIVE CARE
Serial Number:	86919353	MADE SIMPLE

#### **CORRESPONDENCE DATA**

**Fax Number:** 5184521873

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:** 5184521873

Email: accessin@sprynet.com

**Correspondent Name:** JLEE

Address Line 1: 1773 Western Avenue
Address Line 4: Albany, NEW YORK 12203

NAME OF SUBMITTER: Catherine Garrity			
SIGNATURE:	/Catherine E. Garrity/		
DATE SIGNED:	12/14/2017		

**Total Attachments: 6** 

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# TERMINATION AND RELEASE OF SECURITY INTEREST IN TRADEMARKS (IVP)

This TERMINATION AND RELEASE OF SECURITY INTEREST IN TRADEMARKS (this "<u>Agreement</u>"), dated as of October 30, 2017, is executed by Citibank, N.A., as Administrative Agent ("<u>Secured Party</u>"), in favor of IVP, LLC ("<u>Grantor</u>").

#### **RECITALS**

WHEREAS, in connection with the Notice of Grant of Security Interest in U.S. Trademarks (IVP) (the "<u>Trademark Security Agreement</u>") entered into pursuant to that certain Amended and Restated Loan and Security Agreement dated as of August 5, 2016 (as amended, amended and restated, supplemented or otherwise modified to the date hereof) by and among Grantor and certain of its affiliates, the financial institutions party thereto from time to time as "Lenders" and Secured Party, Grantor mortgaged, pledged and hypothecated to Secured Party, and granted to Secured Party, a security interest in the trademarks and trademark applications set forth on Exhibit A to the Trademark Security Agreement (the "<u>Trademark Collateral</u>");

WHEREAS, the Trademark Security Agreement was recorded in the Trademark Assignment Division of the United States Patent and Trademark Office (the "USPTO") on August 17, 2016 at Reel 5857 and Frame 0098; and

WHEREAS, Secured Party now wishes to release its liens on, and security interests in, the Trademark Collateral, including, without limitation, the trademarks as set forth on <u>Schedule A</u> attached hereto.

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, and upon the terms set forth in this Agreement, Secured Party hereby states as follows:

- 1. <u>Release of Security Interest</u>. Secured Party hereby terminates, releases and discharges all of its mortgage, pledge, hypothecation and security interest in the Trademark Collateral, and reassigns, without representation, recourse or warranty, any and all right, title and interest that it may have in or to the Trademark Collateral to Grantor.
- 2. <u>Recordation</u>. The Grantor or its authorized agent is authorized to record this Agreement with the USPTO.
- 3. <u>Governing Law.</u> This Agreement and the rights and obligations of the parties under this Agreement shall be governed by, and construed and interpreted in accordance with, the laws of the State of New York.
- 4. <u>Further Assurances</u>. Secured Party shall take all further actions, and provide to Grantor and its successors, assigns or other legal representatives, all such cooperation and assistance (including without limitation, the execution and delivery of any and all documents or other instruments) reasonably requested by Grantor, and at Grantor's cost and expense, to more fully and effectively effectuate the purpose of this Agreement.

[SIGNATURE PAGE FOLLOWS]

US\_ACTIVE-136697941

IN WITNESS WHEREOF, the undersigned has executed this Agreement by its duly authorized officer as of the date first above written.

SECURED PARTY:

CITIBANK, N.A., as Administrative Agent

Name

Title:

[Signature Page to Termination of Trademark Security Agreement (IVP)]

### SCHEDULE A

## TRADEMARK COLLATERAL

<u>Trademark</u>	Country	<u>Status</u>	Date filed	<u> App. No.</u>	Reg. Date	Reg. No.
ACTIVE KIDS	United States of America	Registered	Jan 16, 1998	75419218	Jun 1, 1999	2250573
CENTURY ACTIVE	United States of America	Registered	Mar 19, 2001	76226222	Jul 29, 2003	2743427
CENTURY ACTIVE PERFORMANCE	United States of America	Registered	Jul 15, 2009	77781663	Sep 21, 2010	3851283
CENTURY ADVANTAGE	United States of America	Registered	Jan 25, 2001	76200244	Oct 30, 2007	3325048
CENTURY SENIOR	United States of America	Registered	Jul 23, 1993	74418203	Feb 28, 1995	1881142
ESTROPLUS	United States of America	Registered	Oct 1, 2001	76319750	Mar 4, 2003	2694066
MEGASELECT	United States of America	Registered	Feb 13, 2007	77105765	Mar 2, 2010	3755052
ORANGE KICKING SOCCER BALL DESIGN	United States of America	Registered	Feb 25, 2003	76492433	Apr 24, 2007	3233833
ORANGE ON SKATEBOARD DESIGN AND TABLET SHAPE	United States of America	Registered	Feb 25, 2003	76492427	Apr 24, 2007	3233831
ORANGE STANDING ROLLERBLADE DESIGN	United States of America	Registered	Feb 25, 2003	76492319	Apr 24, 2007	3233828
ORANGE WITH FOOTBALL DESIGN AND TABLET SHAPE	United States of America	Registered	Feb 25, 2003	76492426	Apr 24, 2007	3233830

<u>Trademark</u>	Country	<u>Status</u>	<u>Date filed</u>	App. No.	Reg. Date	Reg. No.
ORANGE- KICKING SOCCER BALL DESIGN	United States of America	Registered	Feb 25, 2003	76492470	Apr 24, 2007	3233834
ORANGE-ON SKATEBOARD DESIGN	United States of America	Registered	Feb 25, 2003	76492430	Apr 17, 2007	3230133
ORANGE- STANDING ROLLERBLADE DESIGN	United States of America	Registered	Feb 25, 2003	76492425	Apr 24, 2007	3233829
ORANGE-WITH FOOTBALL DESIGN	United States of America	Registered	Feb 25, 2003	76492432	Apr 24, 2007	3233832
VITAMIN FINDER	United States of America	Registered	Jun 21, 2010	85067342	Aug 7, 2012	4188201
YOUR VITAMIN FINDER	United States of America	Registered	Jun 21, 2010	85067347	Aug 23, 2011	4017304
COMFORT FLEX	United States of America	Registered	Oct 31, 2011	85460644	Jan 8, 2013	4273204
MEGA KRILL	United States of America	Registered	Aug 23, 2011	85404483	Oct 16, 2012	4227282
4X PROBIOTIC	United States of America	Registered	Apr 23, 2012	85605229	Feb 3, 2013	4285309
VITA-MINI	United States of America	Registered	Sep 13, 2012	85727916	Aug 6, 2013	4381261
VISIONSHIELD	United States of America	Registered	Nov 1, 2012	85770328	Aug 6, 2013	4381332
4X	United States of America	Registered	Feb 15, 2013	85851599	Feb 18, 2014	4483778
4X COMFORT FLEX	United States of America	Registered	Feb 15, 2013	85851611	Feb 11, 2014	4482493

<u>Trademark</u>	<b>Country</b>	<u>Status</u>	Date filed	App. No.	Reg. Date	Reg. No.
4X IMMUNE	United States of America	Registered	Feb 15, 2013	85851590	Jun 24, 2014	4556876
4X ADVANCED EYE HEALTH	United States of America	Registered	Feb 15, 2013	85851603	Jun 17, 2014	4552671
INSYNC	United States of America	Registered	Apr 30, 2013	85918583	Jan 14, 2014	4467909
GI GUARD	United States of America	Registered	May 24, 2013	85941723	Jan 14, 2014	4467923
BIO-RELEASE	United States of America	Registered	May 24, 2013	85941716	Jun 9, 2015	4752415
4X PROSTATE HEALTH	United States of America	Registered	May 24, 2013	85942047	Jan 14, 2014	4467924
FLEX FREE	United States of America	Pending	Sep 26, 2013	86075864	n/a	n/a
6X	United States of America	Pending	Mar 31, 2015	86582819	n/a	
JEMS	United States of America	Pending	Sep 14, 2015	86755738	n/a	n/a
VITASENSE	United States of America	Pending	Sep 14, 2015	86755735	n/a	n/a
VITAFLAV	United States of America	Pending	Oct 6, 2015	86779473	n/a	n/a
COMPLETE ADVANTAGE	United States of America	Allowed	Jul 24, 2012	85685077	n/a	n/a
VITAROO	United States of America	Allowed	Mar 12, 2014	86218629	n/a	n/a

<u>Trademark</u>	<u>Country</u>	<u>Status</u>	Date filed	<u> App. No.</u>	Reg. Date	Reg. No.
MULTI-SPLASH	United States of America	Allowed	Oct 14, 2014	86422986	n/a	n/a
GUMMY- SPLASH	United States of America	Allowed	Oct 14, 2014	86422980	n/a	n/a
DUOBIOTIC	United States of America	Allowed	Nov 14, 2014	86454301	n/a	n/a
X PROBIOTIC	United States of America	Allowed	Feb 5, 2015	86525851	n/a	n/a
X DIGESTIVE CARE	United States of America	Allowed	Feb 5, 2015	86525858	n/a	n/a
MADE SIMPLE	United States of America	Pending	Feb. 25, 2016	86/919,353	N/A	N/A

**RECORDED: 12/14/2017**