

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM501407

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

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
Whitney Bank		12/07/2018	State Chartered Bank: LOUISIANA

RECEIVING PARTY DATA

Name:	Smoothie King Franchises, Inc.
Street Address:	9797 Rombauer Road
City:	Dallas
State/Country:	TEXAS
Postal Code:	75019
Entity Type:	Corporation: TEXAS

PROPERTY NUMBERS Total: 69

Property Type	Number	Word Mark
Registration Number:	5115027	G
Registration Number:	4770000	SMOOTHIES WITH A PURPOSE
Registration Number:	4670271	PURE RECHARGE SMOOTHIE
Registration Number:	4642119	SMOOTHIE KING
Registration Number:	4795682	PURE RECHARGE
Registration Number:	4281921	PINEAPPLE SURF
Registration Number:	4126167	CHOCOLATE SHREDDER
Registration Number:	4126168	VANILLA SHREDDER
Registration Number:	3492230	MAKE IT SKINNY
Registration Number:	3542738	SMOOTHIE KING
Registration Number:	3437334	CW JR.
Registration Number:	3109338	ISLAND IMPACT
Registration Number:	3109339	BANANA BERRY TREAT
Registration Number:	3126259	BERRY PUNCH
Registration Number:	3106792	ACAI ADVENTURE
Registration Number:	3306552	GREEN TEA TANGO
Registration Number:	3106794	PASSION PASSPORT
Registration Number:	3165680	FRUIT FUSION
Registration Number:	2755909	IMMUNE BUILDER

TRADEMARK

Property Type	Number	Word Mark
Registration Number:	2755910	COCONUT SURPRISE
Registration Number:	2707002	YOGURT D-LITE
Registration Number:	2669093	HEARTY APPLE
Registration Number:	2706687	CHERRY PICKER
Registration Number:	2706688	GRAPE EXPECTATIONS
Registration Number:	2748190	PINA COLADA ISLAND
Registration Number:	2709982	STRAWBERRY-KIWI BREEZE
Registration Number:	2602784	BANANA BOAT
Registration Number:	2948514	GLADIATOR
Registration Number:	2832936	GLADIATOR
Registration Number:	2657061	ORANGE KA-BAM
Registration Number:	2654923	STRAWBERRY X-TREME
Registration Number:	2657062	BLUEBERRY HEAVEN
Registration Number:	2743254	100% FRESH ENERGY JUICE
Registration Number:	2748575	SMOOTH2O
Registration Number:	2496259	THE ORIGINAL. THE KING.
Registration Number:	2364537	
Registration Number:	2366358	
Registration Number:	2036826	SMOOTHIE KING
Registration Number:	2011707	LEMON TWIST
Registration Number:	2330462	THE KING
Registration Number:	2114988	NUTRITIONAL FRUIT FORMULAS
Registration Number:	1960186	BLENDING EXPERIENCE WITH OPPORTUNITY
Registration Number:	1861112	POWER PUNCH PLUS
Registration Number:	1918244	PEACH SLICE PLUS
Registration Number:	1863878	PINEAPPLE PLEASURE
Registration Number:	1878824	PEANUT POWER
Registration Number:	1874101	CARIBBEAN WAY
Registration Number:	1869860	PEP UPPER
Registration Number:	1864874	THE ACTIVATOR
Registration Number:	1855908	SUPER PUNCH PLUS
Registration Number:	1840792	SMOOTHIE KING
Registration Number:	1825363	MUSCLE PUNCH
Registration Number:	1845979	BE GOOD TO YOURSELF!
Registration Number:	1633522	SMOOTHIE KING HOME OF THE MUSCLE PUNCH
Registration Number:	3952250	FIT N' CRUNCHY
Registration Number:	3814112	KINGSTIX
Registration Number:	3645177	BERRY STIMULATING MATÉ

Property Type	Number	Word Mark
Registration Number:	3126241	GO GOJI
Serial Number:	87304116	THINSWEET
Serial Number:	85909489	PURE WHOLE ENERGY
Registration Number:	3084253	FROZEN FUSION
Registration Number:	3325939	STRAWBERRY SHREDDER
Registration Number:	3184562	SMOOTHIE BAR
Registration Number:	2917117	FROZEN FUSION
Registration Number:	2750063	POWER PUNCH
Registration Number:	2709879	KIWI ISLAND TREAT
Registration Number:	1905844	ISLAND TREAT
Registration Number:	1827013	FROZEE
Registration Number:	1268813	MR. SMOOTHIE'S FAMOUS FROZEN YOGURT

CORRESPONDENCE DATA

Fax Number: 5045856907

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: 5045668607

Email: bjanke@bakerdonelson.com

Correspondent Name: Benjamin W. Janke

Address Line 1: 201 St. Charles Ave., Suite 3600

Address Line 2: Baker Donelson

Address Line 4: New Orleans, LOUISIANA 70170

ATTORNEY DOCKET NUMBER:	2917366.47 dkp
NAME OF SUBMITTER:	Benjamin W. Janke
SIGNATURE:	/s/ /Benjamin W. Janke/
DATE SIGNED:	12/10/2018

Total Attachments: 7

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TRADEMARK RELEASE AND REASSIGNMENT

THIS TRADEMARK RELEASE AND REASSIGNMENT is made as of December 7, 2018, by Whitney Bank (“Grantee”). Capitalized terms used but not defined herein shall have the same meanings assigned to such terms in the Security Agreement (as defined below).

WITNESSETH:

WHEREAS, Smoothie King Franchises, Inc., a Texas corporation, (“Grantor”) and Grantee were parties to that certain Trademark Security Agreement dated as of December 9, 2013 (the “2013 Security Agreement”) and that certain Trademark Security Agreement dated as of March 5, 2018 (the “2018 Security Agreement”, together with the 2013 Security Agreement, the “Security Agreements”) pursuant to which the Grantor granted a security interest to Grantee in certain Trademarks (as defined in the Security Agreements) and Trademark Collateral (as defined below) as security for certain obligations owing by Grantor to Grantee, including the Trademarks set forth on Schedule 1 hereto;

WHEREAS, the 2013 Security Agreement was recorded by the United States Patent and Trademark Office on January 13, 2014, at Reel 5191, Frame 0753;

WHEREAS, the 2018 Security Agreement was recorded by the United States Patent and Trademark Office on March 8, 2018, at Reel 6287, Frame 0081;

WHEREAS, Grantor has requested that Grantee release its security interest in the Trademarks and Trademark Collateral and reassign any and all rights in the same to Grantor.

NOW THEREFORE, for good and valuable consideration, receipt and sufficiency of which are hereby acknowledged:

1. Grantee hereby releases its security interest in all of Grantor’s right, title and interest in and to the following (collectively the “Trademark Collateral”):

(i) each Trademark listed on Schedule 1 annexed hereto, together with any reissues, continuations or extensions thereof, and all of the goodwill of the business connected with the use of, and symbolized by, each Trademark; and

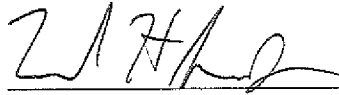
(ii) all products and proceeds of the forgoing, including without limitation, any claim by Grantor against third parties for past, present or future (a) infringement or dilution of any Trademark, or (b) injury to the goodwill associated with any Trademark.

2. Grantee hereby reassigns, grants and conveys to the Grantor, without any representation, recourse or undertaking by Grantee, any and all of Grantee’s right, title and interest in and to the Trademarks and the Trademark Collateral.

[Signature Page Follows]

IN WITNESS WHEREOF, Grantee has caused this Trademark Release and Reassignment to be executed as of the day and year first above written.

WHITNEY BANK

By: 
Name: Len Aucoin
Title: Senior Vice President

SCHEDULE 1

Trademark Registrations

Owner	Mark	Application No.	Application Date	Registration No.	Registration Date
Smoothie King Franchises, Inc.	G	86435734	10/27/14	5115027	1/3/17
Smoothie King Franchises, Inc.	SMOOTHIES WITH A PURPOSE	86255130	4/17/14	4770000	7/7/15
Smoothie King Franchises, Inc.	PURE RECHARGE SMOOTHIE	86248440	4/10/14	4670271	1/13/15
Smoothie King Franchises, Inc.	SMOOTHIE KING	86019058	7/24/13	4642119	11/18/14
Smoothie King Franchises, Inc.	PURE RECHARGE	85934177	5/16/13	4795682	8/18/15
Smoothie King Franchises, Inc.	PINEAPPLE SURF	85601365	4/18/12	4281921	1/29/13
Smoothie King Franchises, Inc.)	CHOCOLATE SHREDDER	85079468	7/7/10	4126167	4/10/12
Smoothie King Franchises, Inc.	VANILLA SHREDDER	85079484	7/7/10	4126168	4/10/12
Smoothie King Franchises, Inc.	MAKE IT SKINNY	77380498	1/25/08	3492230	8/26/08
Smoothie King Franchises, Inc.	SMOOTHIE KING	77318270	10/31/07	3542738	12/9/08
Smoothie King Franchises, Inc.	CW JR.	77178854	5/11/07	3437334	5/27/08
Smoothie King Franchises, Inc.	ISLAND IMPACT	78671411	7/15/05	3109338	6/27/06
Smoothie King Franchises, Inc.	BANANA BERRY TREAT	78671417	7/15/05	3109339	6/27/06
Smoothie King	BERRY PUNCH	78671454	7/15/05	3126259	8/8/06

Franchises, Inc.					
Smoothie King Franchises, Inc.	ACAI ADVENTURE	78668190	7/12/05	3106792	6/20/06
Smoothie King Franchises, Inc.	GREEN TEA TANGO	78668234	7/12/05	3306552	10/9/07
Smoothie King Franchises, Inc.	PASSION PASSPORT	78668244	7/12/05	3106794	6/20/06
Smoothie King Franchises, Inc.	FRUIT FUSION	76603497	7/22/04	3165680	10/31/06
Smoothie King Franchises, Inc.	IMMUNE BUILDER	76467006	11/5/02	2755909	8/26/03
Smoothie King Franchises, Inc.	COCONUT SURPRISE	76467017	11/5/02	2755910	8/26/03
Smoothie King Franchises, Inc.	YOGURT D-LITE	76429897	7/3/02	2707002	4/15/03
Smoothie King Franchises, Inc.	HEARTY APPLE	76392838	4/9/02	2669093	12/31/02
Smoothie King Franchises, Inc.	CHERRY PICKER	76392249	4/8/02	2706687	4/15/03
Smoothie King Franchises, Inc.	GRAPE EXPECTATIONS	76392250	4/8/02	2706688	4/15/03
Smoothie King Franchises, Inc.	PINA COLADA ISLAND	76282344	7/10/01	2748190	8/5/03
Smoothie King Franchises, Inc.	STRAWBERRY-KIWI BREEZE	76282347	7/10/01	2709982	4/22/03
Smoothie King Franchises, Inc.	BANANA BOAT	76282348	7/10/01	2602784	7/30/02
Smoothie King Franchises, Inc.	GLADIATOR	76228648	3/23/01	2948514	5/10/05
Smoothie King Franchises,	GLADIATOR	76976364	3/23/01	2832936	4/13/04

Inc.					
Smoothie King Franchises, Inc.	ORANGE KA-BAM	76193504	1/12/01	2657061	12/3/02
Smoothie King Franchises, Inc.	STRAWBERRY X-TREME	76193505	1/12/01	2654923	11/26/02
Smoothie King Franchises, Inc.	BLUEBERRY HEAVEN	76193506	1/12/01	2657062	12/3/02
Smoothie King Franchises, Inc.	100% FRESH ENERGY JUICE	76189293	1/4/01	2743254	7/29/03
Smoothie King Franchises, Inc.	SMOOTH20	76975410	10/31/00	2748575	8/5/03
Smoothie King Franchises, Inc.	THE ORIGINAL. THE KING.	76153725	10/26/00	2496259	10/9/01
Smoothie King Franchises, Inc.	DESIGN ONLY	75777398	8/17/99	2364537	7/4/00
Smoothie King Franchises, Inc.	DESIGN ONLY	75777399	8/17/99	2366358	7/11/00
Smoothie King Franchises, Inc.	SMOOTHIE KING	75033247	12/15/95	2036826	2/11/97
Smoothie King Franchises, Inc.	LEMON TWIST	74712760	8/8/95	2011707	10/29/96
Smoothie King Franchises, Inc.	THE KING	74706401	7/26/95	2330462	3/21/00
Smoothie King Franchises, Inc.	NUTRIOTIONAL FRUIT FORMULAS	74682082	5/9/95	2114988	11/25/97
Smoothie King Franchises, Inc.	BLENDING EXPERIENCE WITH OPPORTUNITY	74650414	3/23/95	1960186	3/5/96
Smoothie King Franchises, Inc.	POWER PUNCH PLUS	74472045	12/21/93	1861112	11/1/94
Smoothie King Franchises, Inc.	PEACH SLICE PLUS	74470555	12/17/93	1918244	9/12/95

Smoothie King Franchises, Inc.	PINEAPPLE PLEASURE	74470560	12/17/93	1863878	11/22/94
Smoothie King Franchises, Inc.	PEANUT POWER	74470564	12/17/93	1878824	2/14/95
Smoothie King Franchises, Inc.	CARIBBEAN WAY	74470565	12/17/93	1874101	1/17/95
Smoothie King Franchises, Inc.	PEP UPPER	74424216	8/12/93	1869860	12/27/94
Smoothie King Franchises, Inc.	THE ACTIVATOR	74424218	8/12/93	1864874	11/29/94
Smoothie King Franchises, Inc.	SUPER PUNCH PLUS	74424220	8/12/93	1855908	9/27/94
Smoothie King Franchises, Inc.	SMOOTHIE KING	74397104	6/2/93	1840792	6/21/94
Smoothie King Franchises, Inc.	MUSCLE PUNCH	74397105	6/2/93	1825363	3/8/94
Smoothie King Franchises, Inc.	BE GOOD TO YOURSELF!	74233117	12/23/91	1845979	7/19/94
Smoothie King Franchises, Inc.	SMOOTHIE KING HOME OF THE MUSCLE PUNCH	73790693	4/3/89	1633522	1/29/91
Smoothie King Franchises, Inc.	THINSWEET	87304116	1/17/17	N/A	N/A
Smoothie King Franchises, Inc.	PURE WHOLE ENERGY	85909489	4/19/13	N/A	N/A
Smoothie King Franchises, Inc.	FIT N' CRUNCHY	77963031	3/19/10	3952250	4/26/11
Smoothie King Franchises, Inc.	KINGSTIX	77875062	11/18/09	3814112	7/6/10
Smoothie King Franchises, Inc.	BERRY STIMULATING MATE	77541357	8/7/08	3645177	6/23/09
Smoothie King Franchises, Inc.	GO GOJI	78668229	7/12/05	3126241	8/8/06

King Franchises, Inc.					
Smoothie King Franchises, Inc.	FROZEN FUSION	76631187	2/15/05	3084253	4/25/06
Smoothie King Franchises, Inc.	STRAWBERRY SHREDDER	78554084	1/26/05	3325939	10/30/07
Smoothie King Franchises, Inc.	SMOOTHIE BAR	78502877	10/20/04	3184562	12/12/06
Smoothie King Franchises, Inc.	FROZEN FUSION	76569724	1/13/04	2917117	1/11/05
Smoothie King Franchises, Inc.	POWER PUNCH	76461445	10/22/02	2750063	8/12/03
Smoothie King Franchises, Inc.	KIWI ISLAND TREAT	76193507	1/12/01	2709879	4/22/03
Smoothie King Franchises, Inc.	ISLAND TREAT	74470563	12/17/93	1905844	7/18/95
Smoothie King Franchises, Inc.	FROZE	74331977	11/17/92	1827013	3/15/94
Smoothie King Franchises, Inc.	MR. SMOOTHIE'S FAMOUS FROZEN YOGURT	73387401	9/22/82	1268813	2/28/84

Trademark Applications

None.