# TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1 Stylesheet Version v1.2

ETAS ID: TM509367

**SUBMISSION TYPE: NEW ASSIGNMENT** 

**NATURE OF CONVEYANCE:** RELEASE OF SECURITY INTEREST

#### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
SunTrust Bank, as Collateral Agent		02/06/2019	Corporation: GEORGIA

### **RECEIVING PARTY DATA**

Name:	Clark's Botanicals, Inc.		
Street Address:	575 Lexington Avenue		
City:	New York		
State/Country:	NEW YORK		
Postal Code:	10022		
Entity Type:	Corporation: NEW YORK		

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

Property Type	Number	Word Mark
Registration Number:	3138777	CLARK'S BOTANICALS
Serial Number:	88111086	CLARK'S BOTANICALS

### **CORRESPONDENCE DATA**

Fax Number: 4045228409

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: 404-523-5300 Email: sls@phrd.com **Correspondent Name:** Steve Schaaf

Address Line 1: 303 Peachtree Street, Suite 3600 Address Line 2: Parker, Hudson, Rainer & Dobbs LLP

Address Line 4: Atlanta, GEORGIA 30308

ATTORNEY DOCKET NUMBER:	3678.77
NAME OF SUBMITTER:	Harrison J. Roberts
SIGNATURE:	/HJR/
DATE SIGNED:	02/08/2019

### **Total Attachments: 3**

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#### RELEASE OF SECURITY INTEREST IN TRADEMARKS

(Clark's Botanicals)

February 6, 2019

FOR VALUE RECEIVED, the undersigned, **SUNTRUST BANK**, in its capacity as collateral agent ("Agent") for certain financial institutions, having an office at 3333 Peachtree Road, N.E., 4th Floor, East Tower, Atlanta, Georgia 30326, does hereby release, relinquish, discharge, terminate and cancel any and all liens it may have in, and any rights of set off against, and security interests granted to Agent, by **CLARK'S BOTANICALS, INC.**, a New York corporation ("Company"), having its chief executive office at 575 Lexington Avenue, New York, New York 10022, in and to the trademark applications and trademarks listed on Schedule A attached hereto, including any goodwill of the business symbolized by the foregoing, and all rights to sue for past, present, and future infringements thereof, arising under that certain Post-Petition Trademark Security Agreement dated as of December 21, 2018, between Company and Agent, recorded December 21, 2018, at the U.S. Patent and Trademark Office at Reel 6507, Frame 0590 (the "Trademark Agreement"). This Release of Security Interest in Trademarks (this "Release") may be filed with the United States Patent and Trademark Office to evidence Agent's release of the security interest against such trademark applications and trademarks.

This Release is intended to operate as a release of all liens and security interests granted and conveyed by Company to Agent pursuant to the terms of the Trademark Agreement and to reassign to Company all of Agent's right, title, and interest it may have or may have acquired pursuant to the terms of such Trademark Agreement, in each case without any representation, warranty, recourse or undertaking by Agent.

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

SUNTRUST BANK, as Agent

Name: Brian R. O'Fallon

Title: Director

# SCHEDULE A

# **Trademark and Trademark Application**

<u>IP</u>	<u>Mark</u>	Registration Number	Application Number	Application or Registration Date
Trademark	CLARK'S BOTANICALS	3138777	78/714,978	09/05/2006
Trademark Application	CLARK'S BOTANICALS	N/A	88/111,086	09/10/2018

**RECORDED: 02/08/2019** 

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