

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM564723

| | | | |
|---|-------------------------------------|-----------------------|----------------------------|
| SUBMISSION TYPE: | NEW ASSIGNMENT | | |
| NATURE OF CONVEYANCE: | RELEASE OF SECURITY INTEREST | | |
| CONVEYING PARTY DATA | | | |
| Name | Formerly | Execution Date | Entity Type |
| BMO Harris Bank N.A. | | 02/28/2020 | Association: UNITED STATES |
| RECEIVING PARTY DATA | | | |
| Name: | Appeeling Fruit Holdings, LLC | | |
| Street Address: | 3104 Baseline Road | | |
| City: | Shelby | | |
| State/Country: | MICHIGAN | | |
| Postal Code: | 49455 | | |
| Entity Type: | Limited Liability Company: MICHIGAN | | |
| PROPERTY NUMBERS Total: 2 | | | |
| Property Type | Number | Word Mark | |
| Registration Number: | 4597007 | APPEELINGFRUIT | |
| Serial Number: | 88262217 | APPEELING FRUIT | |
| CORRESPONDENCE DATA | | | |
| Fax Number: | 8888295819 | | |
| <i>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.</i> | | | |
| Phone: | 8888295817 | | |
| Email: | matt.mcewan@wolterskluwer.com | | |
| Correspondent Name: | CT Corporation | | |
| Address Line 1: | 208 South LaSalle St. | | |
| Address Line 2: | Suite 814 | | |
| Address Line 4: | Chicago, ILLINOIS 60604 | | |
| NAME OF SUBMITTER: | Melanie A. Fagan | | |
| SIGNATURE: | /Melanie A. Fagan/ | | |
| DATE SIGNED: | 03/02/2020 | | |
| Total Attachments: 4 | | | |
| source=IP Filing#page1.tif | | | |
| source=IP Filing#page2.tif | | | |
| source=IP Filing#page3.tif | | | |
| source=IP Filing#page4.tif | | | |

OP \$65.00 4597007

RECORDATION FORM COVER SHEET TRADEMARKS ONLY

To the Director of the U. S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies):

BMO Harris Bank N.A.

- Individual(s)
- Partnership
- Corporation- State: _____
- Other _____
- Association
- Limited Partnership

Citizenship (see guidelines) United States

Additional names of conveying parties attached? Yes No

3. Nature of conveyance/Execution Date(s) :

Execution Date(s) February 28, 2020

- Assignment
- Security Agreement
- Other Release of Security Interest
- Merger
- Change of Name

2. Name and address of receiving party(ies)

Additional names, addresses, or citizenship attached? Yes No

Name: Appeeling Fruit Holdings, LLC

Street Address: 3104 Baseline Road

City: Shelby

State: MI

Country: USA Zip: 49455

- Individual(s) Citizenship _____
- Association Citizenship _____
- Partnership Citizenship _____
- Limited Partnership Citizenship _____
- Corporation Citizenship _____
- Other LLC Citizenship Michigan

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No
(Designations must be a separate document from assignment)

4. Application number(s) or registration number(s) and identification or description of the Trademark.

A. Trademark Application No.(s) _____ Text _____
See Schedule A attached to the Release of Security Interest Trademarks

B. Trademark Registration No.(s) _____
See Schedule A attached to the Release of Security Interest Trademarks

Additional sheet(s) attached? Yes No

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):

See Schedule A attached to the Release of Security Interest Trademarks

5. Name & address of party to whom correspondence concerning document should be mailed:

Name: Melanie A. Fagan

Internal Address: Chapman and Cutler LLP

Street Address: 111 West Monroe Street

City: Chicago

State: Illinois Zip: 60603

Phone Number: 312-845-3405

Docket Number: _____

Email Address: mfagan@chapman.com

6. Total number of applications and registrations involved:

2

7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ _____

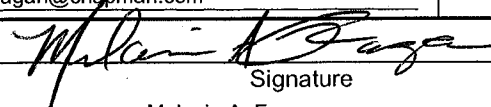
- Authorized to be charged to deposit account
- Enclosed

8. Payment Information:

Deposit Account Number _____

Authorized User Name _____

9. Signature:



Signature

Melanie A. Fagan

2/28/2020

Date

Name of Person Signing

Total number of pages including cover sheet, attachments, and document:

4

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to: Mail Stop Assignment Recordation Branch, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

RELEASE OF SECURITY INTEREST IN TRADEMARKS

THIS RELEASE OF SECURITY INTEREST IN TRADEMARKS dated February 28, 2020 (the “*Release*”) by BMO Harris Bank N.A., a national banking association, with its mailing address at 111 West Monroe Street, Chicago, Illinois 60603 (“*BMO Harris*”), acting as administrative agent under the Agreement (as defined below) for the Secured Creditors as defined in the Agreement (as defined below) (BMO Harris acting in its capacity as administrative agent shall be hereinafter referred to as the “*Agent*”);

WITNESSETH:

WHEREAS, Appeeling Fruit Holdings, LLC, a Michigan limited liability company (“*Debtor*”), with its mailing address at 3104 Baseline Road, Shelby, Michigan 49455 and Agent were parties to a certain Trademark Collateral Agreement dated February 15, 2019 between Debtor and Agent which was recorded in the United States Patent and Trademark Office on February 15, 2019 at Reel 6565, Frame 0331 (the “*Agreement*”), pursuant to which Debtor granted to Agent, a security interest in, among other things, the trademarks, trademark registrations, and trademark applications listed on Schedule A attached hereto and certain other property (collectively, the “*Trademark Property*”); and

WHEREAS, Debtor has requested that Agent release its security interests in the Trademark Property;

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

Agent hereby releases its security interests in, without any representation, warranty, recourse or undertaking by Agent, all of its right, title and interest, if any, in and to each trademark, trademark registration, and trademark application listed on Schedule A hereto, including:

(i) Each trademark, trademark registration, and trademark application listed on Schedule A hereto, and all of the goodwill of the business connected with the use of, and symbolized by, each such trademark, trademark registration, and trademark application and all extensions and renewals thereof; and

(ii) All proceeds of the foregoing, including without limitation (x) any and all royalties, fees, income, payments and other proceeds now or hereafter due or payable with respect to any and all of the foregoing and (y) any and all claims and causes of action by Debtor against third parties for damages, restitution and injunctive and other legal and equitable relief by reason of past, present or future infringement, dilution, misappropriation, violation, misuse, breach or default of any trademark, trademark registration, or trademark application listed on Schedule A hereto or by reason of injury to the goodwill associated with any such trademark, trademark registration, or trademark application, in each case together with the right but no obligation to sue for and collect, or otherwise recover, said damages.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, Agent has caused this Release of Security Interest in Trademarks to be duly executed by its duly authorized officer as of the day and year first above written.

BMO HARRIS BANK N.A., as Agent

By Andrew Gagle
Name: Andrew Gagle
Title: Director

[Signature Page to Release of Security Interest in Trademarks]

TRADEMARK
REEL: 006879 FRAME: 0594

**SCHEDULE A
TO RELEASE OF SECURITY INTEREST IN TRADEMARKS**

REGISTERED TRADEMARKS AND TRADEMARK APPLICATIONS

| MARK | REG. NO. | REG. DATE | DUE DATE |
|----------------|-----------|-----------|------------|
| APPEELINGFRUIT | 4,597,007 | 09/02/14 | 09/02/2020 |

PENDING FEDERAL TRADEMARK APPLICATIONS

| MARK | SERIAL NO. | FILED |
|-----------------|------------|----------|
| APPEELING FRUIT | 88/262,217 | 01/15/19 |