# OP \$265.00 5198013

# TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1 Stylesheet Version v1.2 ETAS ID: TM568461

SUBMISSION TYPE: NEW ASSIGNMENT

NATURE OF CONVEYANCE: RELEASE OF SECURITY INTEREST

## **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
BANK OF AMERICA, N.A., as Agent		03/02/2020	National Banking Association:

## **RECEIVING PARTY DATA**

Name:	TEA OLIVE I, LLC		
Street Address:	2600 Eagan Woods Drive, Suite 120		
City:	Eagan		
State/Country:	MINNESOTA		
Postal Code:	55121		
Entity Type:	Limited Liability Company: MINNESOTA		
Name:	TEA OLIVE, LLC		
Street Address:	2600 Eagan Woods Drive, Suite 120		
City:	Eagan		
State/Country:	MINNESOTA		
Postal Code:	55121		
Entity Type:	Limited Liability Company: MINNESOTA		

#### **PROPERTY NUMBERS Total: 10**

Property Type	Number	Word Mark
Registration Number:	5198012	YOU'LL LOVE WHAT'S IN STORE
Serial Number:	88499875	STOCK+FIELD
Serial Number:	88500003	SF STOCK + FIELD
Serial Number:	88492071	SF
Serial Number:	88499966	
Serial Number:	88520061	FARM BELL
Serial Number:	88473030	STOCK & FIELD
Serial Number:	88473042	SF STOCK & FIELD
Serial Number:	88587772	FARM BELL FB
Serial Number:	88587757	FARM BELL FB QUALITY ANIMAL GOODS

## **CORRESPONDENCE DATA**

**Fax Number:** 3128493690

TRADEMARK

900541619 REEL: 006898 FRAME: 0152

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:** 3127508651

Email: selkin@mcguirewoods.com

Correspondent Name: Sharon S. Elkin

Address Line 1: 77 W. Wacker Dr., Suite 4100 Address Line 4: Chicago, ILLINOIS 60601

ATTORNEY DOCKET NUMBER:	2068279-5101
NAME OF SUBMITTER:	Sharon S. Elkin
SIGNATURE:	/s/ Sharon S. Elkin
DATE SIGNED:	03/23/2020

**Total Attachments: 5** 

source=Tea Olive IP Termination#page1.tif source=Tea Olive IP Termination#page2.tif source=Tea Olive IP Termination#page3.tif source=Tea Olive IP Termination#page4.tif source=Tea Olive IP Termination#page5.tif

# NOTICE OF TERMINATION AND RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY

This **NOTICE OF TERMINATION AND RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY**, dated as of March 2, 2020 (the "<u>Release</u>"), is made by **BANK OF AMERICA**, **N.A.**, as administrative agent for the lenders party to the Loan Agreement described below (in such capacity, the "<u>Agent</u>"), in favor of **TEA OLIVE I, LLC**, a Minnesota limited liability company and **TEA OLIVE, LLC**, a Minnesota limited liability company (collectively, the "Grantor").

WHEREAS, pursuant to that certain Loan and Security Agreement dated as of April 30, 2019 (as amended, restated, amended and restated, supplemented, modified, extended, renewed or replaced from time to time, the "Loan Agreement") by and among the lenders from time to time party thereto, Agent and Grantor, Grantor granted and conveyed to Agent a security interest in the entire right, title and interest of Grantor in and to all of Grantor's Intellectual Property, including those listed on Annex 1 attached hereto (collectively, the "Intellectual Property Collateral") as recorded in the United States Patent and Trademark Office on September 13, 2019 at Reel 6741 Frame 0148 and as recorded in the United States Patent and Trademark Office on May 20, 2019 at Reel 6653 Frame 0667;

**NOW THEREFORE**, in consideration of the mutual promises and undertakings set forth herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and with the intention of being legally bound hereby, Agent agrees as follows:

- **SECTION 1.** <u>Defined Terms</u>. Capitalized terms used herein without definition shall have the meanings ascribed to such terms in the Loan Agreement.
- **SECTION 2.** <u>Termination and Release</u>. Agent without representation, warranty, or recourse, hereby:
- (a) terminates, cancels, discharges, and releases all of its rights in, to and under, including its Lien on and security interest in, and right of setoff against, the Intellectual Property Collateral, whether granted pursuant to the Loan Agreement or any other agreement or document delivered in connection with the Loan Agreement;
- (b) reassigns any and all such right, title and interest (if any) that the Agent may have in, to and under the Intellectual Property Collateral to Grantor;
- (c) to the extent the same is necessary to effectuate the purposes hereof, authorizes the recordation of this Release with the U.S. Patent and Trademark Office, at Grantor's expense.
- **SECTION 3.** Choice of Law. This Release shall be governed by and construed in accordance with the laws of the State of Illinois, without regard to its conflict of laws principles.

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IN WITNESS WHEREOF, Agent has caused this Notice of Termination and Release of Security Interest in Intellectual Property to be duly executed as of the date first set forth above.

BANK OF AMERICA, N.A.,

as Agent/

Name: Peter M. Walther

Title: Senior Vice President

NOTICE OF TERMINATION AND RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY (BIG R/TEA OLIVE) SIGNATURE PAGE

# Annex 1

## COPYRIGHTS, PATENTS AND TRADEMARKS

## **COPYRIGHTS**

None.

**PATENTS** 

None.

## **TRADEMARKS**

Trademark	Owner	Status in Trademark Office	Country	Federal Application / Registration No.	Registration Date
YOU'LL LOVE WHAT'S IN STORE	Tea Olive I, LLC	Registered	United States	5,198,012	5/9/17
STOCK+FIELD	Tea Olive I, LLC	Intent to Use Application filed 7/3/19.  Amendment to Allege Use / Statement of Use to be filed as of first use in interstate commerce.	United States	88499875	TBD
STOCK + FIELD	Tea Olive I, LLC	Intent to Use Application filed 7/3/19.  Amendment to Allege Use / Statement of Use to be filed as of first use in interstate commerce.	United States	88500003	TBD
	Tea Olive I, LLC	Intent to Use Application filed 6/27/19. Amendment to Allege Use / Statement of Use to	United States	88492071	TBD

		be filed as of first use in interstate commerce.			
	Tea Olive I, LLC	Intent to Use Application filed 7/3/19.  Amendment to Allege Use / Statement of Use to be filed as of first use in interstate commerce.	United States	88499966	TBD
FARM BELL	Tea Olive I, LLC	Intent to Use Application filed 7/17/19.  Amendment to Allege Use / Statement of Use to be filed as of first use in interstate commerce.	United States	88520061	TBD
STOCK & FIELD	Tea Olive I, LLC	Intent to Use Application filed 6/13/19. Original format superseded by STOCK+FIELD. No further prosecution of this application is contemplated.	United States	88473030	TBD
STOCK & FIELD	Tea Olive I, LLC	Intent to Use Application filed 6/13/19. Original format superseded by STOCK+FIELD. No further prosecution of this application is contemplated.	United States	88473042	TBD

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SHEW SEE	Tea Olive I, LLC	Intent to Use Application filed 8/21/19.  Amendment to Allege Use / Statement of Use to be filed as of first use in interstate commerce.	United States	88587772	TBD
OF ANIMAL ESE	Tea Olive I, LLC	Intent to Use Application filed 8/21/19.  Amendment to Allege Use / Statement of Use to be filed as of first use in interstate commerce.	United States	88587757	TBD

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**RECORDED: 03/23/2020**