# OP \$40.00 86048336

# TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1 Stylesheet Version v1.2 ETAS ID: TM587013

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

### **CONVEYING PARTY DATA**

| Name                          | Formerly | Execution Date | Entity Type           |
|-------------------------------|----------|----------------|-----------------------|
| LBC Credit Partners III, L.P. |          | 07/15/2020     | Corporation: DELAWARE |

### **RECEIVING PARTY DATA**

| Name:           | Flavor 1st Growers & Packers, LLC   |  |
|-----------------|-------------------------------------|--|
| Street Address: | 331 Banner Farm Road                |  |
| City:           | Mills River                         |  |
| State/Country:  | NORTH CAROLINA                      |  |
| Postal Code:    | 28759                               |  |
| Entity Type:    | Limited Liability Company: DELAWARE |  |

## **PROPERTY NUMBERS Total: 1**

| Property Type  | Number   | Word Mark  |
|----------------|----------|------------|
| Serial Number: | 86048336 | FLAVOR 1ST |

### CORRESPONDENCE DATA

**Fax Number:** 8282550255

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:** 828-258-2991

**Email:** wheedy@vwlawfirm.com

Correspondent Name: William G. Heedy

Address Line 1: The Van Winkle Law Firm Address Line 2: 11 North Market Street

Address Line 4: Asheville, NORTH CAROLINA 28801

| NAME OF SUBMITTER: | William G. Heedy   |  |
|--------------------|--------------------|--|
| SIGNATURE:         | /William G. Heedy/ |  |
| DATE SIGNED:       | 07/16/2020         |  |

### **Total Attachments: 3**

source=Subordinated Loan Termination Agreement#page1.tif source=Subordinated Loan Termination Agreement#page2.tif source=Subordinated Loan Termination Agreement#page3.tif

### TERMINATION AND RELEASE OF TRADEMARK SECURITY AGREEMENT

TERMINATION AND RELEASE OF TRADEMARK SECURITY AGREEMENT, dated as of July 15, 2020, by LBC CREDIT PARTNERS III, L.P., a Delaware limited partnership, in its capacity as agent for the Lenders (in such capacity, together with its successors and assigns in such capacity, "Agent"), in connection with the Credit Agreement, dated as of August 21, 2014 (as amended, supplemented or otherwise modified, the "Credit Agreement"), by and among FLAVOR 1st GROWERS & PACKERS, LLC, a Delaware limited liability company ("Grantor"), the parties thereto from time to time as lenders (collectively, the "Lenders") and Agent. Capitalized terms used but not defined herein shall have the meanings given to such terms in the Trademark Security Agreement referenced below.

WHEREAS, Grantor and Agent entered into that certain Trademark Security Agreement dated as of August 21, 2014 (the "<u>Trademark Security Agreement</u>"), which Trademark Security Agreement was recorded with the United States Patent and Trademark Office at Reel 5349, Frame 0452, on August 21, 2014, for the purpose of securing payment and performance of the Obligations;

**WHEREAS,** pursuant to the Trademark Security Agreement, Grantor granted to Agent, as collateral security for the Obligations, a security interest in the Trademark Collateral;

**WHEREAS**, Agent has agreed to release and terminate the Trademark Security Agreement and its security interest in the Trademark Collateral as herein provided;

**NOW, THEREFORE,** for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Agent, without representation, warranty or recourse, hereby releases and terminates the Trademark Security Agreement and Agent's security interest in and to the Trademark Collateral set forth on **Exhibit A** hereto, effective as of the date set forth above.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, Agent has executed and delivered this Termination and Release of Trademark Security Agreement.

LBC CREDIT PARTNERS III, L.P.,

as Agent

By:\_\_\_ Name:

Title:\_

Devid E

San Sant

[Signature Page to Termination and Release of Trademark Security Agreement]

# EXHIBIT A

# TRADEMARK APPLICATIONS

| MARK       | SERIAL NUMBER | OWNER INFORMATION                             |
|------------|---------------|---|
| Flavor 1st | 86048336      | Flavor 1 <sup>st</sup> Growers & Packers, LLC |

**RECORDED: 07/16/2020** 

4510145v.1