# OP \$340.00 4097497

#### TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1 Stylesheet Version v1.2 ETAS ID: TM603278

| SUBMISSION TYPE:      | NEW ASSIGNMENT  |  |
|-----------------------|---|--|
| NATURE OF CONVEYANCE: | Assignment and Assumption of Intellectual Property Security Agreement |  |

#### **CONVEYING PARTY DATA**

| Name                                      | Formerly | Execution Date | Entity Type                                    |
|---|----------|----------------|--|
| Wells Fargo Bank, National<br>Association |          | 10/09/2020     | National Banking Association:<br>UNITED STATES |

#### **RECEIVING PARTY DATA**

| Name:                    | UMB Bank, N.A.                              |  |  |
|--------------------------|---|--|--|
| Street Address:          | 120 South Sixth Street, #1400               |  |  |
| City:                    | Minneapolis                                 |  |  |
| State/Country: MINNESOTA |   |  |  |
| Postal Code:             | 55402                                       |  |  |
| Entity Type:             | National Banking Association: UNITED STATES |  |  |

#### **PROPERTY NUMBERS Total: 13**

| Property Type        | Number   | Word Mark                          |
|----------------------|----------|------------------------------------|
| Registration Number: | 4097497  | DEUCES DINER                       |
| Registration Number: | 3725544  | NATIVO'S                           |
| Registration Number: | 3722322  | NATIVO'S ITALIAN RESTAURANT        |
| Registration Number: | 3725532  | SERENITY SPRINGS SPA AT CHUKCHANSI |
| Serial Number:       | 77751520 | VINTAGE                            |
| Registration Number: | 3722306  | NOODLE BAR ASIAN BISTRO            |
| Registration Number: | 3695963  | GOLDFIELDS CAFE                    |
| Registration Number: | 3805717  | CASA DE FUEGO                      |
| Registration Number: | 3722304  | CALIFORNIA MARKET BUFFET           |
| Registration Number: | 3722303  | BAKERY                             |
| Registration Number: | 3267033  | HIL-LE                             |
| Registration Number: | 3235582  | CHUKCHANSI GOLD RESORT & CASINO    |
| Registration Number: | 3036141  | CHUKCHANSI GOLD                    |

#### **CORRESPONDENCE DATA**

**Fax Number:** 2138918763

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.

Email:rhonda.deleon@lw.comCorrespondent Name:Latham & Watkins LLP

TRADEMARK

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|                         | 355 South Grand Avenue<br>Los Angeles, CALIFORNIA 90071-1560 |  |  |
|-------------------------|--|--|--|
| ATTORNEY DOCKET NUMBER: | 048472-0045  |  |  |
| NAME OF SUBMITTER:      | Rhonda DeLeon  |  |  |
| SIGNATURE:              | /Rhonda DeLeon/  |  |  |

#### **Total Attachments: 4**

**DATE SIGNED:** 

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10/15/2020

TRADEMARK REEL: 007078 FRAME: 0369

### ASSIGNMENT AND ASSUMPTION OF INTELLECTUAL PROPERTY SECURITY AGREEMENT

This Assignment and Assumption of Intellectual Property Security Agreement (this "Assignment") is entered into and made effective as of October 9, 2020 (the "Effective Date"), by and among Wells Fargo Bank, National Association, a national banking association, as trustee and collateral agent (the "Prior Trustee"), and UMB Bank, N.A., a national banking association duly organized under the laws of the United States of America ("Successor Trustee").

Reference is made to the that certain Security Agreement, dated as of May 30, 2020 (as amended, supplemented or otherwise modified from time to time, the "Security Agreement"), among Chukchansi Economic Development Authority, a wholly-owned unincorporated enterprise of the federally recognized tribe of Picayune Rancheria of the Chukchansi Indians (the "Authority") and Prior Trustee, as the "Collateral Agent", as defined therein.

Reference is also made to the Intellectual Property Security Agreement, dated as of May 30, 2020, made by the Grantor in favor of the Prior Trustee (the "Intellectual Property Security Agreement"). Unless otherwise defined herein, terms defined in the Security Agreement and used herein shall have the meanings given to them in the Security Agreement.

Successor Trustee has succeeded to all of the Prior Trustee's rights and obligations as the "Collateral Agent", and the parties are executing this Assignment to further evidence such succession with respect to the Trademarks and Trademark licenses owned by the Grantor and identified in the Intellectual Property Security Agreement.

Accordingly, effective as of the Effective Date, the Prior Trustee hereby irrevocably assigns, without recourse, to Successor Trustee, as successor "Collateral Agent", and Successor Agent hereby assumes, all of Prior Trustee's rights and obligations as the "Collateral Agent" in, to and under the Intellectual Property Security Agreement, including, but not limited to, the security interest granted in the Trademarks and Trademark Licenses set forth on Schedule I hereto.

From and after the Effective Date, (a) the Successor Trustee shall be a party to the Intellectual Property Security Agreement and have the rights and obligations of the Collateral Agent thereunder and shall be bound by the provisions thereof, and (b) the Prior Trustee shall relinquish its rights and be released from its obligations under the Intellectual Property Security Agreement.

This Assignment shall be governed by and construed in accordance with the laws of the State of New York.

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IN WITNESS WHEREOF, the parties hereto have caused this Assignment to be executed by their respective duly authorized officers.

# WELLS FARGO BANK, NATIONAL ASSOCIATION, as Prior Trustee

By: <u>Pilluranlar</u> Name: Gil Hernanlar Title: Vice President

UMB BANK, N.A. as Successor Trustee

By: \_\_\_\_\_\_\_\_
Name: \_\_\_\_\_\_\_

IN WITNESS WHEREOF, the parties hereto have caused this Assignment to be executed by their respective duly authorized officers.

## WELLS FARGO BANK, NATIONAL ASSOCIATION,

as Prior Trustee

| Ву: |        |  |
|-----|--------|--|
|     | Name:  |  |
|     | Title: |  |

UMB BANK, N.A.

as Successor Trustee

By: Mule Glude

Name: Title:

Michael G. Slade Senior Vice President

#### **TRADEMARKS**

Item 1 is a pending application for "Chuk Ching." Item 6 is lapsed. Chukchansi Economic Development Authority is authorized to use the following 12 intellectual property registrations (and one lapsed registration) held by The Picayune Rancheria Of The Chukchansi Indians and/or Chukchansi Economic Development Authority:

| No. | Serial<br>Number | Reg. Number  | Word Mark                          | Check<br>Status | Live/Dead |
|-----|------------------|--|------------------------------------|-----------------|-----------|
| 1   |                  |  | Pending application                |                 |           |
| 2   | 77750982         | 4097497  | DEUCES DINER                       | TARR            | LIVE      |
| 3   | 77759448         | 3725544  | NATIVO'S                           | TARR            | LIVE      |
| 4   | 77756758         | 3722322  | NATIVO'S ITALIAN RESTAURANT        | TARR            | LIVE      |
| 5   | 77752103         | 3725532  | SERENITY SPRINGS SPA AT CHUKCHANSI | TARR            | LIVE      |
| 6   | 77751520         | http://tess2.uspto.gov/<br>bin/showfield?f=doc&<br>state=4001:9vb0vt.2.6 | VINTAGE                            | TARR            | DEAD      |
| 7   | 77751048         | 3722306  | NOODLE BAR ASIAN BISTRO            | TARR            | LIVE      |
| 8   | 77750884         | 3695963  | GOLDFIELDS CAFE                    | TARR            | LIVE      |
| 9   | 77750433         | 3805717  | CASA DE FUEGO                      | TARR            | LIVE      |
| 10  | 77750318         | 3722304  | CALIFORNIA MARKET BUFFET           | TARR            | LIVE      |
| 11  | 77749311         | 3722303  | BAKERY                             | TARR            | LIVE      |
| 12  | 76650560         | 3267033  | HIL-LE                             | TARR            | LIVE      |
| 13  | 76646812         | 3235582  | CHUKCHANSI GOLD RESORT & CASINO    | TARR            | LIVE      |
| 14  | 76338793         | 3036141  | CHUKCHANSI GOLD                    | TARR            | LIVE      |

#### TRADEMARK LICENSES

Trademark License from The Picayune Rancheria Of The Chukchansi Indians for the Trademarks referred to hereinabove.

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**RECORDED: 10/15/2020** 

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