

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM601494

| | | | |
|---|-------------------------------------|-----------------------|--|
| 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. | | 10/06/2020 | National Banking Association: UNITED STATES |
| RECEIVING PARTY DATA | | | |
| Name: | VIVI FOODS LLC | | |
| Street Address: | 200 WEST SUMNER AVE. | | |
| City: | KENILWORTH | | |
| State/Country: | NEW JERSEY | | |
| Postal Code: | 07033 | | |
| Entity Type: | Limited Liability Company: NEW YORK | | |
| PROPERTY NUMBERS Total: 3 | | | |
| Property Type | Number | Word Mark | |
| Registration Number: | 3807573 | SWEET SOFIA'S BAKERY | |
| Registration Number: | 3751346 | THE CANNOLI FACTORY | |
| Registration Number: | 5058815 | WHITE EAGLE BAKERY | |
| CORRESPONDENCE DATA | | | |
| Fax Number: | | | |
| <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: | 312-577-8574 | | |
| Email: | humberto.aquino@katten.com | | |
| Correspondent Name: | HUMBERTO AQUINO C/O KATTEN | | |
| Address Line 1: | 525 WEST MONROE STREET | | |
| Address Line 4: | CHICAGO, ILLINOIS 60661 | | |
| ATTORNEY DOCKET NUMBER: | 207545-00174 | | |
| NAME OF SUBMITTER: | HUMBERTO AQUINO | | |
| SIGNATURE: | /HUMBERTO AQUINO/ | | |
| DATE SIGNED: | 10/06/2020 | | |
| Total Attachments: 3 | | | |
| source=bmo indulge trademark release executed 2020 (vivi)#page1.tif | | | |
| source=bmo indulge trademark release executed 2020 (vivi)#page2.tif | | | |

CH \$90.00 3807573

TRADEMARK RELEASE OF SECURITY INTEREST

This TRADEMARK RELEASE OF SECURITY INTEREST (this “*Release*”) is made as of October 6, 2020, by BMO HARRIS BANK N.A., in its capacity as Administrative Agent for itself and the other Credit Parties (in such capacity, “*Grantee*”) in favor of VIVI FOODS LLC, a New York limited liability company (“*Grantor*”).

WITNESSETH:

WHEREAS, Grantor and Grantee were parties to that certain Trademark Security Agreement, dated as of February 28, 2019 (the “*Security Agreement*”; capitalized terms used but not otherwise defined herein shall have the meanings ascribed thereto in the Security Agreement), pursuant to which Grantor granted a security interest to Grantee in, among other things, all of Grantor’s right, title and interest in and to the trademarks and service marks listed on the attached Schedule A, which trademarks and service marks are registered or applied for in the United States Patent and Trademark Office (the “*Trademarks*”), and which Security Agreement was recorded with the U.S. Patent and Trademark Office on February 28, 2019 at Reel: 6576/Frame: 0764; and

WHEREAS, Grantor has requested that Grantee discharge and release its security interest in and lien on all of Grantor’s right, title and interest in, to and under the intellectual property described therein including, but not limited to, the Trademarks and the Collateral and reassign the same to Grantor;


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

1. Grantee hereby releases its security interest in all of Grantor’s right, title and interest in, to and under Collateral.
2. To the extent, if any, that following the release as set forth in Section 1 above, Grantee retains or would retain any right, title or interest in or to the Trademark Collateral or any goodwill of any business conducted in connection therewith, Grantee hereby reassigns, grants and conveys to Grantor, without any representation, warranty, recourse or undertaking by Grantee, all of Grantee’s right, title and interest in, to and under the Collateral, and the goodwill of Grantor’s business connected with the use of and symbolized by the Collateral.

*- Remainder of Page Intentionally Left Blank –
[Signature Page Follows]*

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

BMO HARRIS BANK N.A.

By: 
Name: Tara Cuprisin
Title: Managing Director

**SCHEDULE A
TO
TRADEMARK RELEASE OF SECURITY INTEREST**

Trademark Registrations and Applications

| Country | Mark | App. No./Date | Reg. No./Date | Goods/Services | Status |
|---------|----------------------------|-----------------------|---------------------|--|------------|
| U.S. | SWEET SOFIA'S BAKERY | 77/419,932 3/12/08 | 3807573 6/22/10 | Baked goods, namely, frozen bakery desserts in Class 30 | Registered |
| U.S. | THE CANNOLI FACTORY | 77/664,295 2/5/09 | 3751346 2/23/10 | Bakery products in Class 30 | Registered |
| U.S. | WHITE EAGLE BAKERY | 86/925,698 3/2/16 | 5058815 10/11/16 | Cookies in Class 30 | Registered |