

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM624474

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	TERMINATION AND RELEASE OF SECURITY INTEREST IN TRADEMARKS		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
Harbert Mezzanine Partners II, L.P.		02/04/2021	Limited Partnership: DELAWARE
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	BBAC Merger Sub, Inc.		
<b>Street Address:</b>	103 Foulk Road		
<b>Internal Address:</b>	Suite 200		
<b>City:</b>	Wilmington		
<b>State/Country:</b>	DELAWARE		
<b>Postal Code:</b>	19803		
<b>Entity Type:</b>	Corporation: DELAWARE		
<b>Name:</b>	Back Yard Burgers, Inc.		
<b>Street Address:</b>	500 Church Street		
<b>Internal Address:</b>	Suite 200		
<b>City:</b>	Nashville		
<b>State/Country:</b>	TENNESSEE		
<b>Postal Code:</b>	37219		
<b>Entity Type:</b>	Corporation: DELAWARE		
<b>Name:</b>	Little Rock Back Yard Burgers, Inc.		
<b>Street Address:</b>	103 Foulk Road		
<b>Internal Address:</b>	Suite 200		
<b>City:</b>	Wilmington		
<b>State/Country:</b>	DELAWARE		
<b>Postal Code:</b>	19803		
<b>Entity Type:</b>	Corporation: DELAWARE		
<b>Name:</b>	Atlanta Burgers BYB Corporation		
<b>Street Address:</b>	103 Foulk Road		
<b>Internal Address:</b>	Suite 200		
<b>City:</b>	Wilmington		
<b>State/Country:</b>	DELAWARE		
<b>Postal Code:</b>	19803		
<b>TRADEMARK</b>			

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<b>Entity Type:</b>	Corporation: DELAWARE
<b>Name:</b>	BYB Properties, Inc.
<b>Street Address:</b>	103 Foulk Road
<b>Internal Address:</b>	Suite 200
<b>City:</b>	Wilmington
<b>State/Country:</b>	DELAWARE
<b>Postal Code:</b>	19803
<b>Entity Type:</b>	Corporation: DELAWARE

**PROPERTY NUMBERS Total: 3**

Property Type	Number	Word Mark
<b>Registration Number:</b>	2809079	BACK YARD BURGERS
<b>Registration Number:</b>	1679739	
<b>Registration Number:</b>	1679702	BACK YARD BURGERS

**CORRESPONDENCE DATA**

**Fax Number:** 7043311159

*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:** 7043311000

**Email:** PTO\_TMconfirmation@mvalaw.com,  
maryelizabethzaldivar@mvalaw.com

**Correspondent Name:** Moore & Van Allen PLLC

**Address Line 1:** 100 North Tryon Street

**Address Line 2:** Suite 4700, ATTN: IP DEPARTMENT

**Address Line 4:** Charlotte, NORTH CAROLINA 28202

<b>ATTORNEY DOCKET NUMBER:</b>	042582.000018
<b>NAME OF SUBMITTER:</b>	John Slaughter
<b>SIGNATURE:</b>	/john slaughter/
<b>DATE SIGNED:</b>	02/04/2021

**Total Attachments: 3**

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**TERMINATION AND RELEASE OF SECURITY INTEREST  
IN TRADEMARKS**

This **TERMINATION AND RELEASE OF SECURITY INTEREST IN TRADEMARKS**, dated as of February 4, 2021 (“Release”), is made by Harbert Mezzanine Partners II, L.P., a Delaware limited partnership (“Lender”) in favor of BBAC Merger Sub, Inc., a Delaware corporation, Back Yard Burgers, Inc., a Delaware corporation, Little Rock Back Yard Burgers, Inc., a Delaware corporation, Atlanta Burgers BYB Corporation, a Delaware corporation, and BYB Properties, Inc., a Delaware corporation (collectively, the “Companies”, and each a “Company”).

**WHEREAS**, pursuant to that certain Loan and Security Agreement dated as of November 5, 2007 (as from time to time amended, restated, supplemented or modified, the “Loan Agreement”) by and among the Companies and Lender, and the Trademark Security Agreement dated as of November 5, 2007 by and among the Companies and Lender (“Trademark Security Agreement”), the Companies granted to the Lender a continuing security interest in and to all Trademark Collateral; and

**WHEREAS**, the Trademark Security Agreement was recorded at the United States Patent and Trademark Office (“USPTO”) on November 29, 2007 at Reel 3668 Frame 0777.

**NOW THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Lender and the Companies agree as follows:

**SECTION 1. Defined Terms.** All capitalized terms used herein but not otherwise defined herein have the meanings given to them in the Loan Agreement or Trademark Security Agreement.

**SECTION 2. Termination and Release.** Lender, without representation, warranty, or recourse, hereby:

(a) terminates, cancels, discharges, and releases the continuing security interest in and to all Trademark Collateral, including, but not limited to, the foregoing listed on Schedule A attached hereto, granted pursuant to the Loan Agreement or Trademark Security Agreement; and

(b) authorizes the recordation of this Release with the USPTO at Company’s expense.

**SECTION 3. Choice of Law.** This Release shall be governed by and construed in accordance with the laws of the State of New York.

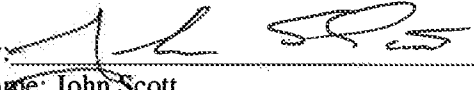
**IN WITNESS WHEREOF**, the Lender has caused this Termination and Release of Security Interest in Trademarks to be duly executed as of the date first set forth above.

Lender:

Harbert Mezzanine Partners II, L.P.

By: Harbert Mezzanine Partners II GP, LLC,  
its General Manager

By: Harbert Management Corporation,  
its General Partner

By:   
Name: John Scott  
Title: Authorized Signatory

Schedule A

U.S. Trademarks Subject to Security Interest  
Granted by Back Yard Burgers, Inc. et al.  
In Favor of Harbert Mezzanine Partners II, L.P.  
Recorded November 29, 2007 at Reel 3668 Frame 0777

Trademark Registrations

Mark	Reg. No.	Reg. Date
BACK YARD BURGERS and Design	2809079	01/27/2004
Design Only	1679739	03/17/1992
BACK YARD BURGERS	1679702	03/17/1992