

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM642896

| | | | |
|---|--|-----------------------|---------------------------------------|
| SUBMISSION TYPE: | NEW ASSIGNMENT | | |
| NATURE OF CONVEYANCE: | NOTICE OF GRANT OF SECURITY INTEREST IN TRADEMARKS | | |
| CONVEYING PARTY DATA | | | |
| Name | Formerly | Execution Date | Entity Type |
| VIVA 5, LLC | | 04/27/2021 | Limited Liability Company: FLORIDA |
| RECEIVING PARTY DATA | | | |
| Name: | TRUIST BANK, as Administrative Agent | | |
| Street Address: | 303 Peachtree St., N.E. | | |
| Internal Address: | 25th Floor | | |
| City: | Atlanta | | |
| State/Country: | GEORGIA | | |
| Postal Code: | 30308 | | |
| Entity Type: | Banking Corporation: NORTH CAROLINA | | |
| PROPERTY NUMBERS Total: 10 | | | |
| Property Type | Number | Word Mark | |
| Registration Number: | 6195845 | BCPLUS | |
| Registration Number: | 6195844 | BCPRO | |
| Registration Number: | 5628270 | VITABURST | |
| Serial Number: | 90420230 | SAYLESS | |
| Serial Number: | 90027277 | GROWVE | |
| Serial Number: | 88865579 | FRUILY | |
| Serial Number: | 88773765 | FRUITOLOGY GUMMIES | |
| Serial Number: | 88773763 | FRUITOLOGY | |
| Serial Number: | 88641750 | TRU FRU | |
| Serial Number: | 88297323 | HAPPY TAILS | |
| CORRESPONDENCE DATA | | | |
| Fax Number: | 7043311159 | | |
| <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: | 7043311000 | | |
| Email: | PTO_TMconfirmation@mvalaw.com, maryelizabethzaldivar@mvalaw.com | | |
| Correspondent Name: | Moore & Van Allen PLLC | | |

OP \$265.00 6195845

Address Line 1: 100 North Tryon Street
Address Line 2: Suite 4700, ATTN: IP DEPARTMENT
Address Line 4: Charlotte, NORTH CAROLINA 28202

ATTORNEY DOCKET NUMBER: 026618.001213

NAME OF SUBMITTER: John Slaughter

SIGNATURE: /john slaughter/

DATE SIGNED: 04/28/2021

Total Attachments: 4

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NOTICE
OF
GRANT OF SECURITY INTEREST
IN
TRADEMARKS

United States Patent and Trademark Office

Ladies and Gentlemen:

Please be advised that pursuant to the Security and Pledge Agreement, dated as of April 27, 2021 (as the same may be amended, modified, extended or restated from time to time, the "Agreement"), by and between the Grantors party thereto (each an "Grantor" and collectively, the "Grantors") and Truist Bank, in its capacity as Administrative Agent (in such capacity, the "Administrative Agent") for the holders of the Secured Obligations reference therein, the undersigned Grantor has granted a continuing security interest in and a right to set off against the trademarks and trademark applications shown below to the Administrative Agent for the benefit of the holders of the Secured Obligations:

TRADEMARKS

| <u>Trademark No.</u> | <u>Description of Trademark Item</u> | <u>Date of Trademark</u> |
|----------------------|--|--------------------------|
| | See <u>Schedule 1</u> attached hereto | |

TRADEMARK APPLICATIONS

| <u>Trademark Applications No.</u> | <u>Description of Trademark Applied for</u> | <u>Date of Trademark Applications</u> |
|-----------------------------------|---|---|
| | See <u>Schedule 1</u> attached hereto | |

The undersigned Grantor and the Administrative Agent hereby acknowledge and agree that the security interest in the foregoing trademarks and trademark applications (i) may only be terminated in accordance with the terms of the Agreement and (ii) is not to be construed as an assignment of any trademark or trademark application.

Very truly yours,

VIVA 5, LLC

By: 

Name: Brian Baer

Title: Manager

Acknowledged and Accepted:

TRUIST BANK,
as Administrative Agent

By: _____

Name: Josh Sheradsky

Title: Senior Vice President

The undersigned Grantor and the Administrative Agent hereby acknowledge and agree that the security interest in the foregoing trademarks and trademark applications (i) may only be terminated in accordance with the terms of the Agreement and (ii) is not to be construed as an assignment of any trademark or trademark application.

Very truly yours,

VIVA 5, LLC

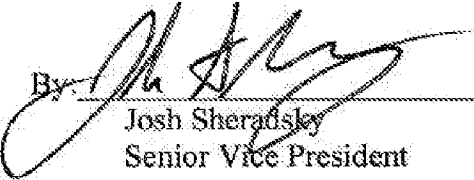
By: _____

Name: Brian Baer

Title: Manager

Acknowledged and Accepted:

TRUIST BANK,
as Administrative Agent

By:  _____
Josh Sherafsky
Senior Vice President

Schedule 1

Viva 5, LLC
(Florida Limited Liability Company)

U.S. Trademarks

Trademark Registration

| Mark | Reg. No. | Reg. Date |
|-------------------|----------|------------|
| BCPLUS (Stylized) | 6195845 | 11/10/2020 |
| BCPRO (Stylized) | 6195844 | 11/10/2020 |
| VITABURST | 5628270 | 12/11/2018 |

Trademark Applications

| Mark | Appl. No. | Filing Date |
|--------------------|-----------|-------------|
| SAYLESS | 90420230 | 12/28/2020 |
| GROWVE | 90027277 | 06/29/2020 |
| FRUILY | 88865579 | 04/09/2020 |
| FRUITOLOGY GUMMIES | 88773765 | 01/26/2020 |
| FRUITOLOGY | 88773763 | 01/26/2020 |
| TRU FRU | 88641750 | 10/03/2019 |
| HAPPY TAILS | 88297323 | 02/11/2019 |