

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
 Stylesheet Version v1.2

ETAS ID: TM652587

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	Release of Security Interest in IP recorded at RF 7090/0365		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Credit Suisse AG, Cayman Islands Branch, as Administrative Agent		06/08/2021	The Cayman Islands Branch of a Swiss Banking corporation: SWITZERLAND
RECEIVING PARTY DATA			
Name:	Birch Benders, LLC (F/K/A Acadia Acquisition, LLC)		
Street Address:	168 Centennial Parkway		
Internal Address:	Suite 200		
City:	Louisville		
State/Country:	COLORADO		
Postal Code:	80027		
Entity Type:	Limited Liability Company: DELAWARE		
PROPERTY NUMBERS Total: 10			
Property Type	Number	Word Mark	
Registration Number:	4371760	BIRCH BENDERS	
Registration Number:	5762992	MICRO-PANCAKERY	
Registration Number:	4605151	BIRCH BENDERS MICRO PANCAKERY	
Registration Number:	5933819	MAGIC SYRUP	
Serial Number:	88501755	A LA CUP	
Serial Number:	88501759	BROWNIE A LA CUP	
Serial Number:	88501763	CAKE A LA CUP	
Serial Number:	88501767	COOKIE A LA CUP	
Serial Number:	88501769	MUFFIN A LA CUP	
Serial Number:	88501774	PANCAKE A LA CUP	
CORRESPONDENCE DATA			
Fax Number:	2127514864		
<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:	2129061216		
Email:	angela.amaru@lw.com		
Correspondent Name:	Latham & Watkins LLP c/o Angela M. Amaru		

CH \$265.00 4371760

Address Line 1:	1271 Avenue of the Americas
Address Line 4:	New York, NEW YORK 10020

ATTORNEY DOCKET NUMBER:	030786-1008
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NAME OF SUBMITTER:	Angela M. Amaru
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SIGNATURE:	/s/ Angela M. Amaru
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DATE SIGNED:	06/08/2021
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Total Attachments: 5

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RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY

This RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY (this “Release”), dated as of June 8, 2021 (the “Effective Date”), is made by CREDIT SUISSE AG, CAYMAN ISLANDS BRANCH, as administrative agent and collateral agent for the Secured Parties (in such capacity, the “Administrative Agent”) in favor of BIRCH BENDERS, LLC, a Delaware limited liability company (“Grantor”). All capitalized terms used, but not otherwise defined herein, shall have the respective meanings ascribed to them in the IP Security Agreement (whether defined therein or by reference to another agreement).

WHEREAS, pursuant to that certain Pledge and Security Agreement among the Loan Parties party thereto, and the Administrative Agent, dated as of November 20, 2018 (as may have been amended, restated, amended and restated, supplemented or otherwise modified from time to time, the “Security Agreement”), Acadia Acquisition, LLC, a Delaware limited liability company (the “Original Grantor”) executed and delivered that certain Intellectual Property Security Agreement, dated as of October 23, 2020 (the “IP Security Agreement”), which was recorded with the United States Patent and Trademark Office (“USPTO”) on October 29, 2020 at Reel/Frame 7090/0365 (with respect to Trademarks);

WHEREAS, pursuant to the Security Agreement and the IP Security Agreement, the Original Grantor pledged, mortgaged, transferred and granted to the Administrative Agent, its successors and permitted assigns, on behalf of and for the ratable benefit of the Secured Parties, a continuing security interest (the “Security Interest”) in all of the Original Grantor’s right, title and interest in, to or under all of the following assets, whether then owned or at any time thereafter acquired by or arising in favor of the Original Grantor and regardless of where located: (a) all Trademarks, including the Trademark registrations and registration applications in the USPTO listed on Schedule I hereto; (b) all Patents, including the Patent registrations and pending applications in the USPTO listed on Schedule II hereto; (c) all Copyrights, including the Copyright registrations and pending applications for registration in the United States Copyright Office listed on Schedule III hereto; and (d) all proceeds of the foregoing, in each case to the extent the foregoing items constitute Collateral (the “IP Collateral”);

WHEREAS, the Original Grantor sold, granted, assigned and conveyed all of its worldwide right title and interest in and to the IP Collateral to the Grantor as of October 23, 2020, and in furtherance thereof executed a Confirmatory Assignment of Trademarks, as of October 23, 2020, which was recorded in the USPTO on October 26, 2020 at Reel/Frame 7086/0324; and

WHEREAS, the Administrative Agent and the Grantor acknowledge that the requirements for releasing the Security Interest in the IP Collateral have been met.

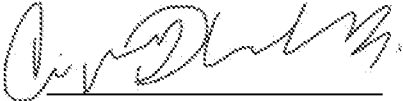
NOW, THEREFORE, in consideration of the foregoing and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Administrative Agent, hereby (a) terminates and cancels the IP Security Agreement, (b) releases, discharges, terminates and cancels the Security Interest in the IP Collateral, and (c) re-assigns to the Grantor any right, title or interest it may have in the IP Collateral, in each case without recourse to the Administrative Agent and without representation or warranty of any kind.

The Grantor, or any successor to the Grantor (including any person or entity hereafter having any right, title or interest in or to the IP Collateral), is hereby authorized to record this Release in the USPTO.

[Signature page follows]

IN WITNESS WHEREOF, the undersigned has executed this Release by its duly authorized officer as of the date first above written.

CREDIT SUISSE AG, CAYMAN ISLANDS
BRANCH

By: 
Name: Vipul Dhadha
Title: Authorized Signatory

By: Dan Kogan
Name: Daniel Kogan
Title: Authorized Signatory

SCHEDULE I

TRADEMARKS

REGISTERED OWNER	REGISTRATION NUMBER	TRADEMARK
Acadia Acquisition, LLC	4371760	BIRCH BENDERS
Acadia Acquisition, LLC	5762992	MICRO-PANCAKERY
Acadia Acquisition, LLC	4605151	BIRCH BENDERS MICRO PANCAKERY
Acadia Acquisition, LLC	5933819	MAGIC SYRUP

TRADEMARK APPLICATIONS

APPLICANT	APPLICATION NO.	TRADEMARK
Acadia Acquisition, LLC	88/501755	A LA CUP
Acadia Acquisition, LLC	88/501759	BROWNIE A LA CUP
Acadia Acquisition, LLC	88/501763	CAKE A LA CUP
Acadia Acquisition, LLC	88/501767	COOKIE A LA CUP
Acadia Acquisition, LLC	88/501769	MUFFIN A LA CUP
Acadia Acquisition, LLC	88/501774	PANCAKE A LA CUP

SCHEDULE II

PATENTS

None.

PATENT APPLICATIONS

None.

SCHEDULE III

COPYRIGHTS

None.

COPYRIGHT APPLICATIONS

None.