

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
 Stylesheet Version v1.2

ETAS ID: TM653126

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	RELEASE OF SECURITY INTEREST		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Bank of Montreal, as Administrative Agent		07/05/2016	Chartered Bank: CANADA
RECEIVING PARTY DATA			
Name:	Pet Valu Canada Inc.		
Street Address:	130 Royal Crest Court		
City:	Markham		
State/Country:	CANADA		
Postal Code:	L3R 0A1		
Entity Type:	Corporation: CANADA		
PROPERTY NUMBERS Total: 48			
Property Type	Number	Word Mark	
Registration Number:	1994009	CASEY'S CHOICE	
Registration Number:	3064135		
Registration Number:	3304289		
Registration Number:	2908039		
Registration Number:	3320653		
Registration Number:	2781701	ENVIRO-LITTER	
Registration Number:	2815591	FELINE CLASSIC	
Registration Number:	3581311	FELINE CLASSIC	
Registration Number:	3481778	FRESH4LIFE	
Registration Number:	2091563	FLUFFY'S FAVORITE RECIPES	
Registration Number:	2741666	GOURMET CUISINE	
Registration Number:	1764759	HEALTH DIET	
Registration Number:	3088645	HOME COOKING IN A CAN	
Registration Number:	3407427	HOME PATH	
Registration Number:	2782640	KENNEL PAC DOG FOOD	
Registration Number:	2851522	KENNEL PAC HI-PRO DOG FOOD	
Registration Number:	2959261	KITTY'S BEST	
Registration Number:	2782766	KITTY'S BEST	
Registration Number:	2240074	LIFE BLEND	

TRADEMARK

Property Type	Number	Word Mark
Registration Number:	3240646	MEWSPRINT
Registration Number:	1572264	PERFORMATRIN
Registration Number:	3571890	PERFORMATRIN EXCELLENCE IN NUTRITION A S
Registration Number:	3571888	PERFORMATRIN EXCELLENCE IN NUTRITION ? A
Registration Number:	3661303	LIFE STAGES PERFORMATRIN CANINE HEALTH S
Registration Number:	3489447	LIFE STAGES PERFORMATRIN FELINE HEALTH S
Registration Number:	2144850	PERFORMATRIN NATURAL
Registration Number:	3661305	SPECIALTY CARE PERFORMATRIN CANINE HEALT
Registration Number:	3489448	SPECIALTY CARE PERFORMATRIN FELINE HEALT
Registration Number:	2972130	PERFORMATRIN ULTRA
Registration Number:	3254040	PERFORMATRIN ULTRA
Registration Number:	2455653	PET PROUD
Registration Number:	1980978	PET VALU
Registration Number:	2192879	PREFERRED BLEND
Registration Number:	3571818	PREFERRED BLEND
Registration Number:	3253741	SLIM CARE
Registration Number:	2204515	W B F
Registration Number:	1878961	
Registration Number:	1758881	PET VALU DISCOUNT PET FOODS & SUPPLIES
Registration Number:	2083164	PET VALU PET FOODS & SUPPLIES
Registration Number:	3406628	PET NUTRITION PLUS
Registration Number:	1563967	PET VALU
Registration Number:	3144565	PET VALU BETTER PET NUTRITION
Registration Number:	2279893	PET VALU FREQUENT CUSTOMER CLUB
Registration Number:	2430199	PET VALU MONEY
Registration Number:	2276510	YOUR NEIGHBORHOOD STORE WITH SUPERSTORE
Serial Number:	77486348	FAMILYSTYLE
Serial Number:	77683303	PERFORMATRIN· EXCELLENCE IN NUTRITION· A
Serial Number:	77793368	SOLESCA WOODS

CORRESPONDENCE DATA

Fax Number:

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: rlyne@paulweiss.com, snygren@paulweiss.com,
mmcguire@paulweiss.com

Correspondent Name: Rebecca B. Lyne

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TRADEMARK

REEL: 007323 FRAME: 0131

ATTORNEY DOCKET NUMBER:	17514-118
NAME OF SUBMITTER:	Rebecca Lyne
SIGNATURE:	/s/ Rebecca Lyne
DATE SIGNED:	06/10/2021
Total Attachments: 7 source=Pet - Executed US Trademark Security Release (BMO) (2009)#page1.tif source=Pet - Executed US Trademark Security Release (BMO) (2009)#page2.tif source=Pet - Executed US Trademark Security Release (BMO) (2009)#page3.tif source=Pet - Executed US Trademark Security Release (BMO) (2009)#page4.tif source=Pet - Executed US Trademark Security Release (BMO) (2009)#page5.tif source=Pet - Executed US Trademark Security Release (BMO) (2009)#page6.tif source=Pet - Executed US Trademark Security Release (BMO) (2009)#page7.tif	

TRADEMARK RELEASE AND REASSIGNMENT

THIS TRADEMARK RELEASE AND REASSIGNMENT ("Release") is made as of July 5, 2016, by Bank of Montreal, as Administrative Agent (in such capacity, "Secured Party"). Capitalized terms used but not defined herein shall have the same meanings assigned to such terms in the Security Agreement (as defined below).

W I T N E S S E T H:

WHEREAS, Pet Valu Canada Inc. ("Grantor"), and Secured Party are parties to that certain Trademark Collateral Agreement dated as of August 31, 2009 (the "Security Agreement") pursuant to which Grantor granted a security interest to Secured Party in certain trademarks and trademark collateral as security for certain obligations owing by Grantor to Secured Party, including the trademarks set forth on Schedule 1 hereto;

WHEREAS, the Security Agreement was recorded by the Trademark Division of the United States Patent and Trademark Office at Reel 4055, Frame 0299 on September 1, 2009;

WHEREAS, Grantor has requested that Secured Party release its security interest in the Trademark Collateral and reassign any and all rights in the same to Grantor.

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

1. Secured Party hereby terminates, cancels, relinquishes, discharges and releases its security interest in all of Grantor's right, title and interest in, to and under the following (collectively, the "Trademark Collateral"):

(i) each trademark, trademark registration and trademark application owned by Grantor, including, without limitation, the federal trademark registrations and trademark applications referred to in Schedule 1 annexed hereto, and all of the goodwill of the business connected with the use of, and symbolized by, each such trademark, trademark registration, and trademark application; and

(ii) all proceeds of the foregoing, including, without limitation, any claim by Grantor against third parties for damages by reason of past, present or future infringement or dilution of any trademark, trademark registration, or trademark application owned by Grantor, including, without limitation, the federal trademark registrations and trademark applications referred to in Schedule 1 annexed hereto or by reason of injury to the goodwill associated with any such trademark, trademark registration, or trademark application, in each case together with the right to sue for and collect said damages.

2. Secured Party hereby terminates, cancels, relinquishes, discharges and releases its security interest in the Trademark Collateral and reassigns, grants and conveys to the Grantor, without any representation, recourse or undertaking by Secured Party, any and all of Secured Party's right, title and interest in and to the Trademark Collateral.

3. Secured Party hereby agrees to duly execute, acknowledge, procure and deliver any further documents, and to provide to Grantor and its successors, assigns or other legal representatives all such cooperation and assistance, and to do such other acts as may be reasonably necessary to effect the release of the security interest contemplated hereby.

4. Secured Party hereby authorizes the Grantor or Grantor's authorized representative to (i) record this Release with the United States Patent and Trademark Office, (ii) file UCC financing statement amendments with the applicable filing office in order to memorialize the release of Secured Party's security interest in the Trademark Collateral and (iii) otherwise record or file this Release in the applicable governmental office or agency.

5. Delivery of an executed signature page to this Release by facsimile or electronic (including .pdf file) transmission shall be as effective as delivery of a signed counterpart of this Release.

[Signature Page Follows]

IN WITNESS WHEREOF, Secured Party has caused this Trademark Release and Reassignment to be executed as of the day and year first above written.

BANK OF MONTREAL

By: 

Name: **Hesham Abourahma**
Title: **Managing Director**

By: 

Name: **Ryan Bulmer**
Title: **Associate**

[Signature Page to BMO Trademark Release and Reassignment (2009 Trademark Collateral Agreement)]

SCHEDULE 1

PET VALU CANADA INC. - (U.S. Trademarks)			
Design	Wares	Registration Date	Registration No.
CASEY'S CHOICE	dog food	August 13, 1996	1,994,009
CAT STARS AND MOON DESIGN	Pet Food	February 28, 2006	3,064,135
CAT MOON & STARS DESIGN II	pet food	October 2, 2007	3,304,289
DOG MOON AND STAR DESIGN	Pet Food	December 7, 2004	2,908,039
DOG MOON AND STARS DESIGN II	pet food	October 23, 2007	3,320,653
ENVIRO-LITTER	cat litter	November 11, 2003	2,781,701
FELINE CLASSIC	canned dry and semi moist cat food and cat treats	February 17, 2004	2,815,591
FELINE CLASSIC	cat litter	February 24, 2009	3,581,311
FRESH 4 LIFE	cat litter	August 5, 2008	3,481,778
FLUFFY'S FAVORITE RECIPES	edible products for cats, namely cat foods	August 26, 1997	2,091,563
GOURMET CUISINE	PET FOOD	July 29, 2003	2,741,666
HEALTH DIET (U.S.)	pet foods	April 13, 1993	1,764,759
HOME COOKING IN A CAN	Pet Food	May 2, 2006	3,088,645
HOME PATH & DESIGN	pet skin and coat care products, namely shampoos	April 1, 2008	3,407,427
KENNEL PAC and Design	Dog Food	November 11, 2003	2,782,640
KENNEL PAC HI-PRO DOG FOOD and Design	Dog food	June 8, 2004	2,851,522
KITTY'S BEST	cat litter	June 7, 2005	2,959,261

PET VALU CANADA INC. - (U.S. Trademarks)			
Design	Wares	Registration Date	Registration No.
KITTY'S BEST and Design (Cat Cartoon Design)	cat litter	November 11, 2003	2,782,766
LIFE BLEND	dog food, bird feed	April 20, 1999	2,240,074
MEWSPRINT	cat litter	May 8, 2007	3,240,646
PERFORMATRIN	pet food	December 19, 1989	1,572,264
PERFORMATRIN EXCELLENCE IN NUTRITION – A scientifically Balanced Premium Diet & Cat in Circle Design	cat food	February 10, 2009	3,571,890
PERFORMATRIN EXCELLENCE IN NUTRITION – A scientifically Balanced Premium Diet & Dog in Circle Design	cat food (mistake made by trademarks office; wares applied for were dog food - matter is being corrected with application 77/683,303)	February 10, 2009	3,571,888
PERFORMATRIN LIFE STAGES CANINE HEALTH SYSTEM & Design	dog food	July 28, 2009	3,661,303
PERFORMATRIN LIFE STAGES FELINE HEALTH SYSTEM & Design	cat food	August 19, 2008	3,489,447
PERFORMATRIN NATURAL	dog food	March 17, 1998	2,144,850
PERFORMATRIN SPECIALTY CARE CANINE HEALTH SYSTEM & Design	dog food	July 28, 2009	3,661,305
PERFORMATRIN SPECIALTY CARE FELINE HEALTH SYSTEM & Design	cat food	August 19, 2008	3,489,448
PERFORMATRIN ULTRA	pet food	July 19, 2005	2,972,130
PERFORMATRIN ULTRA & Design	pet food	June 19, 2007	3,254,040
PET PROUD	clothing namely, t-shirts, sweat pants and hats	May 29, 2001	2,455,653

PET VALU CANADA INC. - (U.S. Trademarks)			
Design	Wares	Registration Date	Registration No.
PET VALU	(1) pet toys, namely dog toys made of rubber, latex, or vinyl, and cat toys, both untreated and treated with catnip, (2) pet foods, namely dog food, cat food, rabbit food, small animal feeds, and companion bird seeds; cat litter; bird gravel	June 18, 1996	1,980,978
PREFERRED BLEND (design)	wild bird seed, wild bird food, pet food	September 29, 1998	2,192,879
PREFERRED BLEND	pet food, wild bird seed and wild bird food	February 10, 2009	3,571,818
SLIM CARE	pet food	June 19, 2007	3,253,741
WB) [®] (design)	wild bird seed and wild bird food	November 17, 1998	2,204,515

PET VALU CANADA INC. – US - PENDING Trademark Applications			
DESIGN	Wares	Application Date	Application No.
FAMILYSTYLE	pet food	May 29, 2008	77/486,348
PERFORMATRIN EXCELLENCE IN NUTRITION – A Scientifically Balanced Premium Diet & Dog in Circle Design	dog food	March 4, 2009	77/683,303
SOLISCA WOODS	pet food and wild bird food	July 30, 2009	77/793368

PET VALU CANADA INC. - US SERVICE TRADEMARKS			
Trade-Mark	Services	Registration Date	Registration No.
BLUE/RED STRIPES & design	Retail store services in the field of pet food and pet supplies.	February 14, 1995	1,878,961
PET VALU DISCOUNT PET FOODS & SUPPLIES with CAT & DOG BANNER & design	Retail store services in the field of pet food and pet supplies.	March 16, 1993	1,758,881
PET VALU PET FOODS & SUPPLIES with CAT & DOG BANNER & amended design	Retail store services in the field of pet food and pet supplies.	July 29, 1997	2,083,164
PET NUTRITION PLUS	Retail store services in the field of pet supplies and pet food	April 1, 2008	3,406,628
PET VALU	Retail store services in the field of pet supplies and pet food.	October 31, 1989	1,563,967
PET VALU BETTER PET NUTRITION	Retail store services in the field of pet supplies and pet food	September 19, 2006	3,144,565
PET VALU FREQUENT CUSTOMER CLUB	Pet food and supplies customer services.	September 21, 1999	2,279,893
PET VALU MONEY	Promoting pet food and pet supplies by a means of a frequent buyer program	February 20, 2001	2,430,199
YOUR NEIGHBORHOOD STORE WITH SUPERSTORE PRICES	Retail store services in the area of wild bird and pet food and supplies.	September 7, 1999	2,276,510