

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM664352

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	RELEASE OF SECURITY INTEREST		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
CORTLAND CAPITAL MARKET SERVICES LLC		07/30/2021	Limited Liability Company: DELAWARE
RECEIVING PARTY DATA			
Name:	BERNER FOOD & BEVERAGE, LLC		
Street Address:	2034 EAST FACTORY ROAD		
City:	DAKOTA		
State/Country:	ILLINOIS		
Postal Code:	61018		
Entity Type:	Limited Liability Company: DELAWARE		
PROPERTY NUMBERS Total: 5			
Property Type	Number	Word Mark	
Registration Number:	3804342	B	
Registration Number:	3797155	B BERNER FOOD & BEVERAGE	
Registration Number:	2563336	PARTY CHEESE	
Registration Number:	2334921	PARTY CHEESE PASTEURIZED PROCESS CHEESE	
Registration Number:	2790069	SNACKIN CHEESE	
CORRESPONDENCE DATA			
Fax Number:	3128622200		
<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:	3128622000		
Email:	Jeffrey.norgle@kirkland.com		
Correspondent Name:	Jeffrey Norgle		
Address Line 1:	300 NORTH LASALLE		
Address Line 2:	KIRKLAND & ELLIS LLP		
Address Line 4:	Chicago, ILLINOIS 60654		
ATTORNEY DOCKET NUMBER:	25317-0007		
NAME OF SUBMITTER:	Jeffrey Norgle		
SIGNATURE:	/Jeffrey Norgle/		
DATE SIGNED:	08/02/2021		

CH \$140.00 3804342

Total Attachments: 4

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**RELEASE AND TERMINATION
OF SECURITY INTEREST IN TRADEMARK COLLATERAL**

THIS RELEASE AND TERMINATION OF SECURITY INTEREST IN TRADEMARK COLLATERAL, dated as of July 30, 2021 (this “Release”), is made by CORTLAND CAPITAL MARKET SERVICES LLC, a Delaware limited liability company, acting in its capacity as agent for the Secured Parties (in such capacity, the “Agent”) under that certain Trademark Security Agreement, dated as of February 2, 2018 (as amended, restated, amended and restated, supplemented or otherwise modified from time to time, the “Trademark Security Agreement”), by and among BERNER FOOD & BEVERAGE, LLC, a Delaware limited liability company (the “Grantor”) and the Agent. Capitalized terms used herein without definition are used as defined in the Guaranty and Security Agreement or the Trademark Security Agreement (defined below), as applicable.

WHEREAS, pursuant to Trademark Security Agreement which was recorded in the records of the United States Patent and Trademark Office on February 5, 2018 at reel 6265, frame 0208, the Grantor granted to the Agent, for the benefit of the Secured Parties, a Security Interest in, all of the Grantor’s right, title and interest in and to its owned or thereafter acquired or arising Trademark Collateral, including those Trademarks set forth on the attached Schedule I;

WHEREAS, the Secured Obligations secured by the Trademark Collateral have been repaid; and

WHEREAS, pursuant to that certain Payoff Letter, dated as of July 30, 2021 by and among the Grantor, the other signatories party thereto and the Agent, the Grantor has requested that the Agent, and the Agent has agreed to, among other things, (a) release any and all Security Interests it may have in the Trademark Collateral pursuant to the Trademark Security Agreement (b) the reassignment to the Grantor of any and all right, title and interest that the Agent and the Lenders may have in the Trademark Collateral, and (c) provide a document suitable for recording in the United States Patent and Trademark Office evidencing and effecting the release, termination, relinquishment and discharge of its security interest in the Trademark Collateral.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Agent, for itself and for the benefit of and on behalf of the Secured Parties, does hereby, in each case, without recourse, representation or warranty of any kind whatsoever, (a) terminate and cancel the Security Interest created under Trademark Security Agreement in the Trademark Collateral, (b) release and relinquish, in its entirety, for the benefit of the Grantor, and their successors and assigns, its Security Interest in the Trademark Collateral, (c) discharge any and all rights, title and interest it has in and the Security Interest granted to the Agent in the Trademark Collateral, and (d) reassigns, grants and conveys to the Grantor any and all such right, title and interest that it may have in the applicable Trademark Collateral of the Grantor (including, without limitation, all Trademark Collateral listed on Schedule 1 attached hereto). The Agent agrees, or authorizes the Grantor (or its designees) on its and the Secured Parties’ behalf, to make filings with the United States Patent and Trademark Office and take further actions, as reasonably requested by the Grantor or as otherwise reasonably necessary to evidence the release and termination of the Agent’s security interests in the Trademark

Collateral, and requests that the United States Patent and Trademark Office and any applicable government officer note and record the release hereby given and any other filings necessary to evidence the release and termination of Agent's rights under the Trademark Security Agreement, with respect to the Trademark Collateral.

THIS RELEASE SHALL BE GOVERNED BY AND CONSTRUED IN ACCORDANCE WITH THE LAWS OF THE STATE OF NEW YORK.

[Signature page follows]

IN WITNESS WHEREOF, the undersigned has caused this Release to be duly executed and delivered by its officer thereunto duly authorized as of the date first written above.

AGENT:

CORTLAND CAPITAL MARKET SERVICES
LLC

By: J. K.
Name: Jon Kirschmeier
Title: Associate Counsel

[Release of Trademark Security Agreement]

TRADEMARK

REEL: 007374 FRAME: 0590

SCHEDULE I

U.S. TRADEMARK REGISTRATIONS / APPLICATIONS

Trademark	Country	App Date	App No.	Reg Date	Reg No.	Status
B (stylized)	U.S.	Mar 24, 2009	77/697,924	Jun 15, 2010	3804342	Active
B BERNER FOOD & BEVERAGE	U.S.	Mar 25, 2009	77/698,433	Jun 1, 2010	3797155	Active
PARTY CHEESE	U.S.	Oct 6, 2000	76/142,975	Apr 23, 2002	2563336	Active
PARTY CHEESE PASTEURIZED PROCESS CHEESE SAUCE	U.S.	Oct 20, 1998	75/575,530	Mar 28, 2000	2334921	Active
SNACKIN CHEESE (stylized)	U.S.	Apr 13, 2000	76/024,690	Dec 9, 2003	2790069	Active