

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM667279

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT
<b>NATURE OF CONVEYANCE:</b>	RELEASE OF SECURITY INTEREST

## CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
CIBC BANK USA	FORMERLY The PrivateBank and Trust Company	07/30/2021	National Banking Association: ILLINOIS

## RECEIVING PARTY DATA

<b>Name:</b>	BERNER FOOD & BEVERAGE, LLC
<b>Street Address:</b>	2034 E. FACTORY RD.
<b>City:</b>	Dakota
<b>State/Country:</b>	ILLINOIS
<b>Postal Code:</b>	61018
<b>Entity Type:</b>	Limited Liability Company: DELAWARE
<b>Name:</b>	BERNER FOOD & BEVERAGE, INC.
<b>Street Address:</b>	2034 E. Factory Rd
<b>City:</b>	Dakota
<b>State/Country:</b>	ILLINOIS
<b>Postal Code:</b>	61018
<b>Entity Type:</b>	Corporation: ILLINOIS

## PROPERTY NUMBERS Total: 10

Property Type	Number	Word Mark
<b>Registration Number:</b>	3020933	EARTH'S ANSWER
<b>Registration Number:</b>	3350164	DESPERATOS
<b>Serial Number:</b>	78141262	WHOLE BEAN FULL FIBER SOY
<b>Serial Number:</b>	77698433	B BERNER FOOD & BEVERAGE
<b>Serial Number:</b>	77697924	B
<b>Serial Number:</b>	76142975	PARTY CHEESE
<b>Serial Number:</b>	76024690	SNACKIN CHEESE
<b>Serial Number:</b>	75575530	PARTY CHEESE PASTEURIZED PROCESS CHEESE
<b>Serial Number:</b>	85046606	BAJA BUZZ
<b>Serial Number:</b>	85124256	16G

## CORRESPONDENCE DATA

TRADEMARK

**Fax Number:** 3128622200

***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:** 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

<b>ATTORNEY DOCKET NUMBER:</b>	25317-0007
--------------------------------	------------

<b>NAME OF SUBMITTER:</b>	Jeffrey Norgle
---------------------------	----------------

<b>SIGNATURE:</b>	/Jeffrey Norgle/
-------------------	------------------

<b>DATE SIGNED:</b>	08/12/2021
---------------------	------------

**Total Attachments: 3**

source=Release\_4811-6380-7734.1 - compiled (Berner) (A+R) (11.5) Release of Security Interest in Trademarks#page1.tif

source=Release\_4811-6380-7734.1 - compiled (Berner) (A+R) (11.5) Release of Security Interest in Trademarks#page2.tif

source=Release\_4811-6380-7734.1 - compiled (Berner) (A+R) (11.5) Release of Security Interest in Trademarks#page3.tif

**RELEASE OF SECURITY INTEREST IN TRADEMARKS**

WHEREAS, pursuant to that certain Trademark Security Agreement dated as of April 10, 2012 by BERNER FOOD & BEVERAGE, LLC, a Delaware limited liability company as successor by merger to Berner Food & Beverage, Inc., an Illinois corporation (“**Borrower**”), in favor of CIBC BANK USA, formerly known as The PrivateBank and Trust Company (“**Lender**”) (the “**Trademark Security Agreement**”); recorded with the United States Patent and Trademark Office – Trademark Division on April 12, 2012 at Reel 4755, Frame 0404-0413, as amended and restated by that certain Amended and Restated Trademark Security Agreement dated as of April 22, 2016 by Borrower in favor of Lender (as heretofore amended, restated, modified or supplemented, the “**Amended and Restated Trademark Security Agreement**”); capitalized terms used herein and not defined herein shall have the ascribed to them in the Amended and Restated Trademark Security Agreement), recorded with the United States Patent and Trademark Office – Trademark Division on April 28, 2016 at Reel 5779, Frame 0368, Borrower granted to Lender a security interest in all right, title and interest of Borrower in and to all Trademarks, including those referred to on Schedule 1 attached hereto, all rights corresponding to any of the foregoing throughout the world and the goodwill of Borrower’s business connected with the use of and symbolized by the Trademarks (collectively, the “**Trademark Collateral**”); and

WHEREAS, Lender wishes to provide a document suitable for recording in the United States Patent and Trademark Office for purposes of recording the release, relinquishment and discharge of its security interest in and to the Trademark Collateral.


NOW, THEREFORE, in consideration of and in exchange for good and valuable consideration, Lender, on behalf of itself, its successors, legal representatives and assigns, hereby (a) relinquishes, releases and discharges its security interest in and to the Trademark Collateral and (b) assigns to Borrower any right, title and interest in and to the Trademark Collateral that Lender may have.

*[Remainder of page intentionally left blank; signature page follows]*

IN WITNESS WHEREOF, the undersigned has caused this Release of Security Interest  
In Trademarks to be duly executed as of July 30, 2021.

**LENDER:**

**CIBC BANK USA**, formerly known as The  
PrivateBank and Trust Company

By:  \_\_\_\_\_

Name: Jennifer Kempton

Title: Managing Director

**Schedule 1**  
**TRADEMARKS**

<u>Trademark Description</u>	<u>U.S. Serial/Registration No.</u>	<u>Filing Date</u>	<u>Registration Date</u>
BAJA BUZZ	85046606	May 24, 2010	
16g	85124256	September 7, 2010	
DESPERATOS	78874367 / 3350164	May 2, 2006	December 4, 2007
EARTH'S ANSWER	78530473 / 3020933	December 10, 2004	November 29, 2005
WHOLE BEAN FULL FIBER SOY	78141262 / 2880513	July 3, 2002	August 31, 2004
B BERNER FOOD & BEVERAGE	77698433 / 3797155	March 25, 2009	June 1, 2010
B STYLIZED	77697924 / 3804342	March 24, 2009	June 15, 2010
PARTY CHEESE	76142975 / 2563336	October 6, 2000	April 23, 2002
SNAKIN CHEESE	76024690 / 2790069	April 13, 2000	December 9, 2003
PARTY CHEESE PASTEURIZED PROCESS CHEESE SAUCE MADE WITH REAL CHEESE	75575530 / 2334921	October 20, 1998	March 28, 2000