

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM684300

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	RELEASE OF SECURITY INTEREST		
<b>SEQUENCE:</b>	1		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
BNP Paribas		10/28/2021	Bank: FRANCE
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	Empire Resorts Real Estate II, LLC		
<b>Street Address:</b>	204 State Route 17B		
<b>City:</b>	Monticello		
<b>State/Country:</b>	NEW YORK		
<b>Postal Code:</b>	12701		
<b>Entity Type:</b>	Limited Liability Company: NEW YORK		
<b>PROPERTY NUMBERS Total: 2</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Registration Number:</b>	5913512	DOS GATOS CANTINA	
<b>Registration Number:</b>	5953566	DOS GATOS CANTINA AUTHENTIC MEXICAN CUIS	
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>	8009144240		
<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>			
<b>Phone:</b>	800-713-0755		
<b>Email:</b>	Michael.Violet@wolterskluwer.com, ECarrera@cahill.com		
<b>Correspondent Name:</b>	CT Corporation		
<b>Address Line 1:</b>	4400 Easton Commons Way		
<b>Address Line 2:</b>	Suite 125		
<b>Address Line 4:</b>	Columbus, OHIO 43219		
<b>NAME OF SUBMITTER:</b>	Elaine Carrera		
<b>SIGNATURE:</b>	/Elaine Carrera/		
<b>DATE SIGNED:</b>	10/28/2021		
<b>Total Attachments: 5</b>			
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**TERMINATION AND RELEASE OF SECURITY INTEREST  
IN TRADEMARKS**

This Termination and Release of Security Interest in Trademarks (this “**Release**”) is granted on this 28th day of October, 2021, by BNP Paribas (“**BNP**”), as lender and as common collateral agent for the lenders under the security agreements referenced below, in favor of Empire Resorts Real Estate II, LLC (“**Empire Real Estate**”), with respect to the Trademark Collateral (as defined below).

**W I T N E S S E T H :**

WHEREAS, Empire Real Estate and other grantors party thereto and BNP are parties to that certain first lien credit agreement, dated as of March 19, 2021 (as amended, amended and restated, supplemented or otherwise modified from time to time, the “**First Lien Credit Agreement**”) to secure payment and performance in full of the secured obligations set forth therein;

WHEREAS, pursuant to the First Lien Credit Agreement, on March 19, 2021, BNP and Empire Real Estate entered into a Grant of Security Interest in Trademark Rights, which was recorded with the U.S. Patent and Trademark Office (the “**USPTO**”) on March 19, 2021, at Reel/Frame 7227/0297 (the “**2021 Trademark Security Agreement**”);

WHEREAS, pursuant to the 2021 Trademark Security Agreement, BNP received security interests in all of Empire Real Estate’s rights, titles and interest in the United States and throughout the world, in and to all of its then currently owned or thereafter acquired trademarks, registrations of trademarks and applications for registration, including, without limitation, those trademark registrations and applications for trademark registrations set forth on Schedule A, hereto (hereinafter all of the foregoing trademarks, trademark registrations and applications for trademark registrations, collectively, the “**Trademark Collateral**”); and

WHEREAS, BNP desires to release, cancel, terminate and discharge, on behalf of itself and the secured parties under the First Lien Credit Agreement, any and all security interests, and any other lien, it has in the Trademark Collateral.


NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, BNP hereby agrees as follows:


1. BNP hereby absolutely, unconditionally and irrevocably releases, cancels, terminates and forever discharges its lien on and security interest in:
  - a. All of Empire Real Estate’s right, title and interest in the Trademark Collateral that was granted to BNP under the 2021 Trademark Security Agreement;

- b. Any and all goodwill connected with the use of, and symbolized by, the Trademark Collateral;
  - c. The right to sue third parties for past, present and future infringement of any Trademark Collateral;
  - d. Any and all proceeds of and rights associated with the foregoing; and
  - e. Any and all other security interests or liens that BNP or its predecessors, successors and assigns may have in or to the Trademark Collateral under the 2021 Trademark Security Agreement.
2. BNP acknowledges and agrees that the 2021 Trademark Security Agreement has been terminated.
  3. The parties authorize and request the Director of the USPTO to record this Release against the Trademark Collateral. BNP agrees to perform all further acts and execute and deliver all further documents and/or instruments that may be reasonably necessary to carry out the provisions of this Release, at Empire Real Estate's sole cost and expense.
  4. BNP hereby represents and warrants that it has full authority to execute and deliver this Release. To the extent that any other filings with any other governmental authority have been made with respect to any of the Trademark Collateral, BNP will execute and deliver a reasonable release or other instrument that will terminate any such filing and/or release any interests conveyed therein.
  5. This Release shall be governed by and construed in accordance with the law of the State of New York.
  6. This Release shall be binding upon BNP's representatives, successors, assigns and transferees.


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BNP PARIBAS

By   
Name: Guillaume Charrier  
Title: Vice President  
Date: 10/25/2021

By   
Name: Kevin Choi  
Title: Vice President  
Date: 10/25/2021

**SCHEDULE A**

Owner/Applicant	Mark	Registration Number/Application Number	Registration Date/Application Date	Country/State
Empire Resorts Real Estate II, LLC	DOS GATOS CANTINA	Registration Number: 5,913,512	Registration Date: 11/19/2019	USA
Empire Resorts Real Estate II, LLC		Registration Number: 5,953,566	Registration Date: 1/7/2020	USA