TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1 Stylesheet Version v1.2

**SUBMISSION TYPE: NEW ASSIGNMENT** 

NATURE OF CONVEYANCE: RELEASE OF SECURITY INTEREST

### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
JPMorgan Chase Bank, N.A.		05/09/2022	National Banking Association: UNITED STATES

### **RECEIVING PARTY DATA**

Name:	Tuesday Morning Partners, Ltd.
Street Address:	6250 LBJ Freeway
City:	Dallas
State/Country:	TEXAS
Postal Code:	75240
Entity Type:	Limited Partnership: TEXAS
Name:	Tuesday Morning, Inc.
Street Address:	6250 LBJ Freeway
City:	Dallas
State/Country:	TEXAS
Postal Code:	75240
Entity Type:	Corporation: TEXAS

#### **PROPERTY NUMBERS Total: 24**

Property Type	Number	Word Mark
Registration Number:	4832441	
Registration Number:	4993124	TUESDAY MORNING
Registration Number:	1211932	TUESDAY MORNING
Registration Number:	5247596	TUESDAY MORNING
Registration Number:	5247597	TUESDAY MORNING
Registration Number:	5242780	TUESDAY MORNING
Registration Number:	5247598	TUESDAY MORNING
Registration Number:	4471915	TUESDAY MORNING PERKS
Registration Number:	4827618	TUESDAY MORNING SEEK THE UNIQUE
Registration Number:	3814853	CHEFS
Registration Number:	5174997	CHEFS
Registration Number:	5174998	CHEFS
Registration Number:	5174999	CHEFS
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**REEL: 007718 FRAME: 0835** 

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Property Type	Number	Word Mark
Registration Number:	5184806	CHEFS
Registration Number:	5108892	CHEFS
Registration Number:	5175001	CHEFS
Registration Number:	5175002	CHEFS
Registration Number:	6037215	INCREDIBLE DEALS FOR YOUR HOME
Registration Number:	3042352	NAPASTYLE
Registration Number:	3303245	THE BEST KITCHEN STARTS HERE
Registration Number:	1277563	THE CHEF'S CATALOG
Registration Number:	5546496	THE CHEFS CATALOG
Registration Number:	6102837	TM CARES FUND
Registration Number:	6075672	TUESDAY MORNING CARES

## **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.

**Phone:** 617-248-5000

Email: tmadmin@choate.com

Correspondent Name: Sara M. Bauer

Address Line 1: Two International Place
Address Line 2: Choate Hall & Stewart LLP

Address Line 4: Boston, MASSACHUSETTS 02110

ATTORNEY DOCKET NUMBER:	2009985-0136
NAME OF SUBMITTER:	Sara M. Bauer
SIGNATURE:	/sara bauer/
DATE SIGNED:	05/12/2022

#### **Total Attachments: 9**

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#### RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY

This RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY (this "Release") made as of May 9, 2022, is granted by JPMorgan Chase Bank, N.A., in its capacity as administrative agent for the lenders under the Credit Agreement referred to below (in such capacity, the "Administrative Agent"), in favor of Tuesday Morning Partners, Ltd., a Texas limited partnership ("TMP"), and Tuesday Morning, Inc., a Texas corporation (together with TMP, the "Grantors" and each individually, a "Grantor").

WHEREAS, pursuant to that certain Credit Agreement dated as of December 31, 2020 (as amended, restated, amended and restated, supplemented or otherwise modified from time to time, the "Credit Agreement"), by and among the Grantors, the other Loan Parties (as defined therein) from time to time party thereto, the lenders from time to time party thereto and the Administrative Agent, the Grantors entered into that certain Patent and Trademark Security Agreement dated as of December 31, 2020 and recorded with the United States Patent and Trademark Office on January 11, 2021 at Reel 054879, Frame 0385 (the "IP Security Agreement"), pursuant to which each Grantor granted to the Administrative Agent a continuing security interest in and to the United States trademark registrations and trademark applications set forth on Schedule A hereto (the "Marks") and the United States patents and patent applications set forth on Schedule B hereto (the "Patents" and together with the Marks, the "IP Collateral"); and

WHEREAS, the Administrative Agent has agreed to release, discharge, relinquish, terminate and dissolve its security interest in and continuing lien on all of each Grantor's right, title and interest in, to and under the IP Collateral.

NOW, THEREFORE, for good and valuable consideration including (a) the payment and performance in full of all the Secured Obligations (other than indemnity obligations under the Loan Documents that are not then due and payable or for which events or claims that would give rise thereto are not then pending) and (b) the termination of the Credit Agreement, the receipt and adequacy of which are hereby acknowledged, and upon the terms set forth in this Release, the Administrative Agent hereby, on behalf of itself and the other Secured Parties, states and agrees as follows:

- 1. <u>Release of Security Interest.</u> The Administrative Agent hereby releases and discharges its security interests in the IP Collateral, and any right, title or interest of the Administrative Agent in the IP Collateral hereby ceases and becomes void.
- 2. <u>Further Assurances.</u> The Administrative Agent agrees to execute and deliver to the Grantors any and all further documents and instruments, and do any and all further acts which the Grantors (or their respective agents or designees) reasonably request (at Grantors' sole cost and expense) in order to confirm this Release.
- 3. <u>Recordation of Release.</u> The Administrative Agent hereby authorizes the Grantors (or the Grantors' authorized representative(s)) to record this Release with the United States Patent and Trademark Office.

US 8835076v.1 CHA715/71040

- 4. <u>Governing Law</u>. This Release shall be governed by and construed in accordance with the internal laws (but not the laws of conflicts) of the State of New York, but giving effect to federal laws applicable to national banks.
- 5. <u>Electronic Execution</u>. Delivery of an executed counterpart of a signature page of this Release by telecopy, emailed pdf. or any other electronic means that reproduces an image of the actual executed signature page shall be effective as delivery of a manually executed counterpart of this Release.

[Signature Page Follows]

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

JPMORGAN CHASE BANK, N.A.,

as Administrative Agent

By:

Name: Ryan Becker Title: Authorized Officer

REEL: 007718 FRAME: 0839

## **Schedules**

See attached.

# Schedule A Marks

; •		Σ.	<u>.</u>	Registration	2	
	Bird Logo		G			
Tuesday Morning	<b>(</b>	United States of				
Partners, Ltd.	(	America	4832441	10/13/2015	Registered	Owned
Tuesday Morning	TUESDAY					
Partners, Ltd.	MORNING	Florida	T17000000073	1/20/2017	Registered	Owned
Tuesday Morning	TUESDAY	United States of				
Partners, Ltd.	MORNING	America	4993124	7/5/2016	Registered	Owned
Tuesday Morning	TUESDAY	United States of				
Partners, Ltd.	MORNING	America	1211932	10/5/1982	Registered	Owned
	TUESDAY					
	(Stylized - blue					
	background - one					
Tuesday Morning	line)	United States of				
Partners, Ltd.		America	5247596	7/18/2017	Registered	Owned
	TUESDAY MORNING					
	(Stylized - blue					
	background)					
Partners, Ltd.		∪nited States of America	5247597	7/18/2017	Registered	Owned
	TUESDAY					
	MORNING					
	(Stylized - one					
Tuesday Morning Partners, Ltd.	line)	United States of America	5242780	7/11/2017	Registered	Owned
	TUESDAY				¢	
	MORNING					
	(Stylized -					
	stacked)					
Tuesday Morning		United States of				
Partners, Ltd.	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	America	524/598	//18/201/	Registered	Owned

Debtor	Trademark	Country	Registration No.	Registration Date	Status	Owned/ Licensed
Tuesday Morning	TUESDAY MORNING	United States of				
Partners, Ltd.	PERKS	America	4471915	1/21/2014	Registered	Owned
	TUESDAY MORNING					
	SEEK THE					
	UNIQUE &					
Tuesday Morning	Design	United States of				
Partners, Ltd.	Tuesday Morring	America	4827618	10/6/2015	Registered	Owned
Tuesday Morning		United States of				
Partners, Ltd.	CHEFS	America	3814853	7/6/2010	Registered	Owned
Tuesday Morning		United States of				)
raimers, Liu.	CITELO	Amenda	31/477/	4/4/201/	Registered	Омпеа
Partners Ltd	CHEFS	America	5174998	4/4/2017	Registered	Owned
Tuesday Morning		United States of			C	
Partners, Ltd.	CHEFS	America	5174999	4/4/2017	Registered	Owned
Tuesday Morning		United States of				
Partners, Ltd.	CHEFS	America	5184806	4/18/2017	Registered	Owned
Tuesday Morning		United States of				
Partners, Ltd.	CHEFS	America	5108892	12/27/2016	Registered	Owned
Tuesday Morning		United States of				)
Partners, Ltd.	CHEFS	America	5175001	4/4/2017	Registered	Owned
Partners, Ltd.	CHEFS	America	5175002	4/4/2017	Registered	Owned
	INCREDIBLE					
Tuesday Morning	DEALS FOR	United States of	6027015	4/21/2020		
Tuesday Morning	TOOKHOME	United States of	0007210	7/21/2020	registered	Owned
Partners, Ltd.	NAPASTYLE	America	3042352	1/10/2006	Registered	Owned
	THE BEST					
Tuesday Morning	KITCHEN	United States of				
Partners, Ltd.	STARTS HERE	America	3303245	10/2/2007	Registered	Owned
Tuesday Morning	THE CHEF'S	United States of			Registered (Supplemental	
Partners, Ltd.	CATALOG	America	1277563	5/8/1984	Register)	Owned

Tuesday Morning, Inc.	Tuesday Morning, Inc.	Tuesday Morning Partners, Ltd.	Debtor
TUESDAY MORNING CARES	TM CARES FUND and Design TM Cares	THE CHEFS CATALOG	Trademark
United States of America	United States of America	United States of America	Country
6075672	6102837	5546496	Registration No.
6/9/2020	7/14/2020	8/21/2018	Registration Date
Registered	Registered	Registered	Status
Owned	Owned	Owned	Owned/ Licensed

## Schedule B Patents

;	<b>1</b>	Patent/	·	<b>)</b>	* * * * * * * * * * * * * * * * * * *
Tuesday Morning	Fatoni	ox planear months over	135 dr. 17 dr.	Diatous	Onlien Division
Partners, Ltd.	Culinary Utensil	D787281	5/23/2017	Issued	Owned
Tuesday Morning	Basting Brush				
Partners, Ltd.	Head	D784027	4/18/2017	Issued	Owned
	Kitchen				
Tuesday Morning	Implement				
Partners, Ltd.	Handle	D778106	2/7/2017	Issued	Owned
Tuesday Morning					
Partners, Ltd.	Splatter Shield	D778128	2/7/2017	Issued	Owned
	Kitchen				
Tuesday Morning	Implement				
Partners, Ltd.	Handle	D778107	2/7/2017	Issued	Owned
	Kitchen				
Tuesday Morning	Implement				
Partners, Ltd.	Handle	D778108	2/7/2017	Issued	Owned
	Kitchen				
Tuesday Morning	Implement				
Partners, Ltd.	Handle	D784073	4/18/2017	Issued	Owned
Tuesday Morning					
Partners, Ltd.	Food Mill	D790292	6/27/2017	Issued	Owned
Tuesday Morning					
Partners, Ltd.	Wok	D816392	5/1/2018	Issued	Owned
Tuesday Morning					
Partners, Ltd.	Tagine	D798649	10/3/2017	Issued	Owned
Tuesday Morning					
Partners, Ltd.	Label	D787598	5/23/2017	Issued	Owned
Tuesday Morning					
Partners, Ltd.	Label	D786976	5/16/2017	Issued	Owned
Tuesday Morning					
Partners, Ltd.	Box	D787320	5/23/2017	Issued	Owned
Tuesday Morning					
Partners, Ltd.	Baking Pan Insert	D784066	4/18/2017	Issued	Owned

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Tuesday Morning Partners, Ltd.	Tuesday Morning Partners, Ltd.	Tuesday Morning Partners, Ltd.	Tuesday Morning Partners, Ltd.	Tuesday Morning Partners, Ltd.	Tuesday Morning Partners, Ltd.	Tuesday Morning Partners, Ltd.	Tuesday Morning Partners, Ltd.	Tuesday Morning Partners, Ltd.	Tuesday Morning Partners, Ltd.	Tuesday Morning Partners, Ltd.
Cookware Lid With Basting Projections	Cookware Lid With Basting Projections	Cookware Basting Projection	Cookware Basting Projections	Food Storage Container	Food Storage Container	Shears	Container	Container Divider	Baking Sheet	Knife
16/389585	10264921	D882332	D835453	29/695728	D854382	D786634	29/656700	D823133	D784067	D770850
N/A	4/23/2019	4/28/2020	12/11/2018	N/A	7/23/2019	5/16/2017	N/A	7/17/2018	4/18/2017	11/8/2016
Pending	Issued	Issued	Issued	Pending (Unpublished) Filed 6/21/2019; [Awaiting Office Action]	Issued	Issued	Pending (Unpublished) Filed 7/16/2018; [Awaiting Office Action]	Issued	Issued	Issued
Owned	Owned	Owned	Owned	Owned	Owned	Owned	Owned	Owned	Owned	Owned

TRADEMARK REEL: 007718 FRAME: 0845

**RECORDED: 05/12/2022**