

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM757261

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	Release of Security Interest in Trademark Collateral at Reel/Frame No. 5651/0165

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
Bank of America, N.A., as Collateral Agent		09/23/2022	national association: UNITED STATES

RECEIVING PARTY DATA

Name:	Tropicana Las Vegas, Inc.
Street Address:	3801 Las Vegas Blvd. South
City:	Las Vegas
State/Country:	NEVADA
Postal Code:	89109
Entity Type:	Corporation: NEVADA

PROPERTY NUMBERS Total: 10

Property Type	Number	Word Mark
Registration Number:	4044823	EVEN THE ODDS
Registration Number:	3878095	BISCAYNE STEAK SEA WINE
Registration Number:	3877859	HAVANA GO GO
Registration Number:	4412951	BACIO
Registration Number:	4530991	HERO RATE
Registration Number:	4530990	HERO RATE
Registration Number:	4530989	HERO RATE
Registration Number:	4530988	HERO RATE
Serial Number:	85451453	TROPICANA LAS VEGAS
Serial Number:	85451418	TROPICANA LAS VEGAS

CORRESPONDENCE DATA

Fax Number: 2138918763

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: rhonda.deleon@lw.com

Correspondent Name: LATHAM & WATKINS LLP

Address Line 1: 355 SOUTH GRAND AVENUE

Address Line 4: LOS ANGELES, CALIFORNIA 90071-1560

OP \$265.00 4044823

ATTORNEY DOCKET NUMBER:	039948-0024
NAME OF SUBMITTER:	Rhonda DeLeon
SIGNATURE:	/Rhonda DeLeon/
DATE SIGNED:	09/23/2022

Total Attachments: 7

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**RELEASE OF SECURITY INTEREST IN
TRADEMARK COLLATERAL**

This **RELEASE OF SECURITY INTEREST IN TRADEMARK COLLATERAL** (this “Release”), dated as of September 23, 2022, is made by BANK OF AMERICA, N.A., as collateral agent (together with its successors and assigns in such capacity, the “Collateral Agent”) for the benefit of the Secured Parties (as defined in the Security Agreement (as defined below)), in favor of TROPICANA LAS VEGAS, INC. (the “Pledgor”).

WITNESSETH

WHEREAS, the Pledgor, each other pledgor identified in the Security Agreement and the Collateral Agent entered into that certain Security Agreement, dated as of October 30, 2013, as amended and restated by that certain Amended and Restated Security Agreement, dated as of January 19, 2017 (as further amended, restated, supplemented, waived or otherwise modified from time to time, the “Security Agreement”);

WHEREAS, pursuant to the Security Agreement, the Pledgor executed and delivered to the Collateral Agent that certain Trademark Security Agreement, dated as of October 22, 2015 (the “2015 Trademark Security Agreement”) and recorded with the United States Patent and Trademark Office (“USPTO”) on October 22, 2015 at Reel/Frame No. 5651/0165, pursuant to which the Pledgor granted to the Collateral Agent, its successors and assigns, for the benefit of the Secured Parties, a security interest in all of the Pledgor’s right, title and interest in or to any and all of the Pledged Trademark Collateral (as defined in the 2015 Trademark Security Agreement), including the trademarks listed on Schedule I hereto (the “2015 Specified Trademarks”);

WHEREAS, pursuant to the Security Agreement, the Pledgor executed and delivered to the Collateral Agent that certain Trademark Security Agreement, dated as of January 19, 2017 (the “2017 Trademark Security Agreement”) and recorded with the USPTO on January 19, 2017 at Reel/Frame No. 5970/0282, pursuant to which the Pledgor granted to the Collateral Agent, its successors and assigns, for the benefit of the Secured Parties, a security interest in all of the Pledgor’s right, title and interest in or to any and all of the Pledged Trademark Collateral (as defined in the 2017 Trademark Security Agreement), including the trademarks listed on Schedule II hereto (the “2017 Specified Trademarks”);

WHEREAS, pursuant to the Security Agreement, the Pledgor executed and delivered to the Collateral Agent that certain Trademark Security Agreement, dated as of October 15, 2018 (the “2018 Trademark Security Agreement”) and, together with the 2015 Trademark Security Agreement and the 2017 Trademark Security Agreement, the “Trademark Security Agreements”) and recorded with the USPTO on October 15, 2018 at Reel/Frame No. 6468/0029, pursuant to which the Pledgor granted to the Collateral Agent, its successors and assigns, for the benefit of the Secured Parties, a security interest in all of the Pledgor’s right, title and interest in or to any and all of the Pledged Trademark Collateral (as defined in the 2018 Trademark Security Agreement), including the trademarks listed on Schedule III hereto (the “2018 Specified Trademarks”) and, together with 2015 Specified Trademarks and the 2017 Specified Trademarks, the “Specified Trademarks”); and

WHEREAS, the Pledgor has requested that the Collateral Agent, and the Collateral Agent has agreed to, evidence the release of its security interest in all right, title and interest in or to the Specified Trademarks in connection with the disposition of the Pledgor.

NOW, THEREFORE, in consideration of the foregoing, the Collateral Agent, without recourse, representation or warranty of any kind, hereby (a) acknowledges the discharge, termination and

release of its security interest in all right, title and interest in or to the Specified Trademarks, and agrees that all the security interest in the Specified Trademarks has been discharged, terminated and released and (b) terminates and cancels the 2015 Trademark Security Agreement. The undersigned hereby, without recourse, representation or warranty of any kind, transfers and assigns to the Pledgor any and all right, title and interest that the Collateral Agent may have obtained in, to and under the Specified Trademarks under the Security Agreement and the Trademark Security Agreements, and authorizes and requests that this Release be recorded with the USPTO.

The Collateral Agent agrees to execute and deliver, at the reasonable request of, and at the sole cost and expense of, the Pledgor or any successor-in-interest or assignee thereof, such further instruments, documents and releases as the Pledgor may reasonably request to release, terminate and extinguish any security interest of the Collateral Agent in the Specified Trademarks arising under the Security Agreement or the Trademark Security Agreements.

This Release shall be governed by, and shall be construed and enforced in accordance with, the laws of the State of New York, without regard to conflicts of law or choice of law provisions that would result in the application of any other law.

[Signature Page Follows]

IN WITNESS WHEREOF, the Collateral Agent has caused this Release to be duly executed and delivered as of the date first written above.

BANK OF AMERICA, N.A.,
as Collateral Agent

By: 
Name: Lisa Berishaj
Title: Assistant Vice President

SCHEDULE I

2015 Specified Trademarks

TRADEMARK REGISTRATIONS AND APPLICATIONS:

Registrations:

MARK	REG. NUMBER	REG. DATE	DESCRIPTION
EVEN THE ODDS	4,044,823	10/25/2011	Gaming services in the nature of casino gaming; Providing casino services featuring a casino players rewards program (Class 41)
BISCAYNE STEAK SEA WINE (stylized)	3,878,095	11/16/2010	Provision of food and drink in restaurants; Restaurant and bar services (Class 43)
HAVANA GO GO & Design	3,877,859	11/16/2010	Cafe and restaurant services; Cafe-restaurants (Class 43)
BACIO ®	4,412,951	10/08/2013	Bar and restaurant services; Cafe and restaurant services; Hotel, bar and restaurant services (Class 43)
HERO RATE & Design	4,530,991	05/13/2014	Resort hotel services (Class 43)
HERO RATE & Design	4,530,990	05/13/2014	Resort hotel services (Class 43)
HERO RATE & Design	4,530,989	05/13/2014	Resort hotel services (Class 43)
HERO RATE & Design	4,530,988	05/13/2014	Resort hotel services (Class 43)

Applications:

MARK	SER. NUMBER	APP. DATE	DESCRIPTION
TROPICANA LAS VEGAS	85451453	10/19/2011	Arranging and conducting of concerts; Entertainment services in the nature of comedy shows; Entertainment services, namely, conducting parties; Gaming services in the nature of casino gaming; Nights-clubs (Class 41)
TROPICANA LAS VEGAS	85451418	10/19/2011	Night club reservation services, namely, arranging for cocktails and table service reservations at night clubs and night club events; Resort hotel services; Restaurant services, including sit-down service of food and take-out restaurant services (Class 43)

TRADEMARK LICENSES:

None

SCHEDULE II2017 Specified TrademarksRegistrations - United States:

OWNER	MARK	REG. NUMBER	REG. DATE	COUNTRY/STATE
Tropicana Las Vegas, Inc.	EVEN THE ODDS	4044823	10/25/2011	United States
Tropicana Las Vegas, Inc.	BISCAYNE STEAK SEA WINE (stylized)	3878095	11/16/2010	United States
Tropicana Las Vegas, Inc.	HAVANA GO GO & Design	3877859	11/16/2010	United States
Tropicana Las Vegas, Inc.	BACIO	4412951	10/08/2013	United States
Tropicana Las Vegas, Inc.	HERO RATE & Design	4530991	05/13/2014	United States
Tropicana Las Vegas, Inc.	HERO RATE & Design	4530990	05/13/2014	United States
Tropicana Las Vegas, Inc.	HERO RATE & Design	4530989	05/13/2014	United States
Tropicana Las Vegas, Inc.	HERO RATE & Design	4530988	05/13/2014	United States
Tropicana Las Vegas, Inc.	FOOD IS OUR CELEBRITY	4878338	12/29/2015	United States

Applications - United States:

OWNER	MARK	SER. NUMBER	APP. DATE	COUNTRY/STATE
Tropicana Las Vegas, Inc.	TROPICANA LAS VEGAS	85/451,418	10/19/2011	United States
Tropicana Las Vegas, Inc.	TROPICANA LAS VEGAS	85/451,453	10/19/2011	United States

SCHEDULE III

2018 Specified Trademarks

Registrations - United States:

Owner	Mark	Registration Number	Registration Date
Tropicana Las Vegas, Inc.	SKY BEACH CLUB	5365526	26-DEC-2017