

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM829904

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	(SECURITY INTEREST) GRANTOR'S NAME CHANGE		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
MS BIOTECH, INC.		05/26/2023	Corporation: COLORADO
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	AXIOTA U.S., INC.		
<b>Street Address:</b>	2809 East Harmony Road, Suite 190		
<b>City:</b>	Fort Collins		
<b>State/Country:</b>	COLORADO		
<b>Postal Code:</b>	80528		
<b>Entity Type:</b>	Corporation: COLORADO		
<b>PROPERTY NUMBERS Total: 12</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Registration Number:</b>	3972030	LACTIPRO	
<b>Registration Number:</b>	3948358	MEGASTARTER	
<b>Registration Number:</b>	3926285	MS BIOTEC	
<b>Registration Number:</b>	6202126	MEGA E	
<b>Registration Number:</b>	6070341	MSBIOTEC	
<b>Registration Number:</b>	5962903	MSBIOTEC	
<b>Registration Number:</b>	5853294	LACTIPROFLX	
<b>Registration Number:</b>	5823415	LACTIPRONXT	
<b>Registration Number:</b>	4868393	LACTIPRO ADVANCE	
<b>Serial Number:</b>	88787034	LACTIPRO	
<b>Serial Number:</b>	88787043		
<b>Serial Number:</b>	88791982	LACTIPRO	
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>	2028874288		
<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>	2028874000		
<b>Email:</b>	mbeyene@akingump.com, DC_IPDocketing@AKINGUMP.com		
<b>Correspondent Name:</b>	Mussie B Beyene		
<b>Address Line 1:</b>	AKIN GUMP STRAUSS HAUER & FELD LLP		

CH \$315.00 3972030

**Address Line 2:** 2001 K Street N.W.  
**Address Line 4:** Washington DC, D.C. 20006

**ATTORNEY DOCKET NUMBER:** 694484.0117

**NAME OF SUBMITTER:** Mussie B Beyene

**SIGNATURE:** /Mussie B Beyene/

**DATE SIGNED:** 08/07/2023

**Total Attachments: 6**

source=KL2-#3340813-v1-Axiota - CO Articles of Amendment (Name Change to Axiota U\_S\_ Inc\_)#page1.tif

source=KL2-#3340813-v1-Axiota - CO Articles of Amendment (Name Change to Axiota U\_S\_ Inc\_)#page2.tif

source=5. Springbok (Axiota) - Notice of Grant of Security Interest in Trademarks (MS Biotech, Inc.)  
4882-0342-6607 2#page1.tif

source=5. Springbok (Axiota) - Notice of Grant of Security Interest in Trademarks (MS Biotech, Inc.)  
4882-0342-6607 2#page2.tif

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source=5. Springbok (Axiota) - Notice of Grant of Security Interest in Trademarks (MS Biotech, Inc.)  
4882-0342-6607 2#page4.tif



Colorado Secretary of State  
 Date and Time: 05/26/2023 09:29 AM  
 ID Number: 20081642283  
 Document number: 20231575872  
 Amount Paid: \$25.00

Document must be filed electronically.  
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ABOVE SPACE FOR OFFICE USE ONLY

**Articles of Amendment**

filed pursuant to §7-90-301, et seq. and §7-110-106 of the Colorado Revised Statutes (C.R.S.)

1. For the entity, its ID number and entity name are

ID number 20081642283  
 (Colorado Secretary of State ID number)

Entity name MS Biotech, Inc.

2. The new entity name (if applicable) is Axiota U.S., Inc.

3. (If the following statement applies, adopt the statement by marking the box and include an attachment.)

This document contains additional amendments or other information.

4. If the amendment provides for an exchange, reclassification or cancellation of issued shares, the attachment states the provisions for implementing the amendment.

5. (Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)

The delayed effective date and, if applicable, time of this document is/are \_\_\_\_\_  
 (mm/dd/yyyy hour:minute am/pm)

**Notice:**

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that such document is such individual's act and deed, or that such individual in good faith believes such document is the act and deed of the person on whose behalf such individual is causing such document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S. and, if applicable, the constituent documents and the organic statutes, and that such individual in good faith believes the facts stated in such document are true and such document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is identified in this document as one who has caused it to be delivered.

6. The true name and mailing address of the individual causing the document to be delivered for filing are

Sparks Reuben K. III  
 (Last) (First) (Middle) (Suffix)  
24 S. Weber Street  
 (Street name and number or Post Office Box information)  
Suite 400  
Colorado Springs CO 80903  
 (City) (State) (Postal/Zip Code)  
United States  
 (Province – if applicable) (Country – if not US)

*(If the following statement applies, adopt the statement by marking the box and include an attachment.)*

This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

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NOTICE  
OF  
GRANT OF SECURITY INTEREST  
IN  
TRADEMARKS

December 8, 2021

United States Patent and Trademark Office


Ladies and Gentlemen:

Please be advised that pursuant to the Security and Pledge Agreement dated as of December 3, 2019 (as amended by that certain First Amendment to Credit Agreement and Security and Pledge Agreement dated as of May 1, 2020, as further amended by that certain Second Amendment to Security and Pledge Agreement dated as of December 8, 2021 and as may be further amended, restated, modified, extended, renewed, replaced, or supplemented from time to time, the “**Agreement**”) and among the Grantors party thereto (each a “**Grantor**” and collectively, the “**Grantors**”) and U.S. Bank National Association, as administrative agent (the “**Administrative Agent**”) for the Secured Parties referenced therein, the undersigned Grantor has granted a continuing security interest in and continuing lien upon the trademarks and trademark applications shown on Schedule 1 attached hereto to the Administrative Agent for the ratable benefit of the Secured Parties.

The undersigned Grantor and the Administrative Agent, on behalf of the Secured Parties, hereby acknowledge and agree that the security interest in the foregoing trademarks and trademark applications (a) may only be terminated in accordance with the terms of the Agreement and (b) is not to be construed as an assignment of any trademark or trademark application.

Very truly yours,

MS BIOTECH, INC.

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

Name: Nathan Romer

Title: Chief Financial Officer

Acknowledged and Accepted:

U.S. BANK NATIONAL ASSOCIATION,  
as Administrative Agent

A handwritten signature in black ink, appearing to read 'J. Hanley', written over a horizontal line.

By: \_\_\_\_\_  
Name: James A. Hanley  
Title: Vice President

**SCHEDULE 1****Trademarks**

<b>Owners</b>	<b>Country</b>	<b>Application Number.</b>	<b>Registration Number</b>	<b>Filing date</b>	<b>Trademark</b>	<b>Class</b>	<b>File Status</b>
MS Biotech, Inc.	USA	88787034		February 6, 2020	LACTIPRO and Design	5	Pending
MS Biotech, Inc.	USA	88787043		February 6, 2020	Design mark	5	Pending
MS Biotech, Inc.	USA	88791982		February 10, 2020	LACTIPRO and Design	5	Pending
MS Biotech, Inc.	USA	88752394	6202126		MEGA E	5	Registered
MS Biotech, Inc.	USA	88207800	6070341		MSBIOTEC and Design	5	Registered
MS Biotech, Inc.	USA	88207767	5962903		MSBIOTEC and Design	5	Registered
MS Biotech, Inc.	USA	88166401	5853294		LACTIPROFLX	5	Registered
MS Biotech, Inc.	USA	88167186	5823415		LACTIPRONXT	5	Registered
MS Biotech, Inc.	USA	86554132	4868393		LACTIPRO ADVANCE	5	Registered
MS Biotech, Inc.	USA	85126905	3972030		LACTIPRO	5	Registered
MS Biotech, Inc.	USA	77715552	3948358		MEGASTARTER	5	Registered
MS Biotech, Inc.	USA	77715561	3926285		MS BIOTEC	5	Registered