

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM839399

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	RELEASE OF SECURITY INTEREST		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
CIBC Bank USA		09/01/2023	Chartered Bank: UNITED STATES
RECEIVING PARTY DATA			
Name:	5th Avenue Chocolatiere, LLC		
Street Address:	225 Buffalo Ave		
City:	Freeport		
State/Country:	NEW YORK		
Postal Code:	11520		
Entity Type:	Limited Liability Company: NEW YORK		
PROPERTY NUMBERS Total: 11			
Property Type	Number	Word Mark	
Registration Number:	6129513	CHOCOLATE WORKS	
Registration Number:	6129514	CHOCOLATE WORKS	
Registration Number:	5112957	CHOCOLATE WORKS	
Registration Number:	5117952	CHOCOLATE WORKS	
Registration Number:	5117882	CHOCOLATE WORKS	
Registration Number:	5117885	CHOCOLATE WORKS	
Registration Number:	3904371	ALMA	
Registration Number:	2812581	MOONSTRUCK	
Registration Number:	1855897	MOONSTRUCK CHOCOLATIER	
Registration Number:	1861090		
Registration Number:	2837997		
CORRESPONDENCE DATA			
Fax Number:	2124464900		
<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>			
Phone:	2124464727		
Email:	hayley.smith@kirkland.com		
Correspondent Name:	Hayley Smith		
Address Line 1:	Kirkland & Ellis LLP		

CH \$290.00 6129513

Address Line 2: 601 Lexington Ave
Address Line 4: New York, NEW YORK 10022

ATTORNEY DOCKET NUMBER: 15981-71

NAME OF SUBMITTER: Hayley Smith

SIGNATURE: /Hayley Smith/

DATE SIGNED: 09/14/2023

Total Attachments: 4

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RELEASE OF SECURITY INTEREST IN TRADEMARKS

This RELEASE OF SECURITY INTEREST IN TRADEMARKS (this “**Release**”) is made effective as of September 1, 2023, by and between CIBC BANK USA (the “**Lender**”), and 5TH AVENUE CHOCOLATIERE, LLC (the “**Grantor**”).

WHEREAS, pursuant to that certain Loan and Security Agreement dated as of June 30, 2021 (as amended, restated, modified or supplemented from time to time, the “**Agreement**”), the Grantor granted to the Lender a security interest in the trademarks listed on Schedule A attached hereto (the “**Trademarks**”) as security for loans and other obligations; and

WHEREAS, the Lender wishes to release its security interest in the Grantor’s Trademarks.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound hereby, the Lender hereby agrees as follows:

1. **Definitions.** Unless otherwise defined herein or the context otherwise requires, terms used in this Release, including its preamble and recitals, have the meanings provided or provided by reference in the Agreement, as applicable.

2. **Release.** Pursuant to the terms set forth in the Agreement and recorded with the United States Patent and Trademark Office in Reel 7451 Frame 0014 on October 13, 2021 by the Grantor in favor of the Lender, the Lender, without warranty as to status of title or priority of the encumbrances being hereby released, hereby releases, discharges, terminates and cancels all right, title and interest it has or may have in the Grantor’s Trademarks as described in the attached Schedule A, including, without limitation, any security interest it may have in such Trademarks and the goodwill of the business connected with the use of, and symbolized by, such Trademarks, and the Lender hereby retransfers and reassigns any and all right, title, and interest it may have in the foregoing to the Grantor.

3. **Recordation.** The Lender shall file this Release with the United States Patent and Trademark Office, at the sole expense of the Grantor, to evidence and effectuate the release of the Trademarks.

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[SIGNATURES ON FOLLOWING PAGE]


IN WITNESS WHEREOF, the Lender has caused this Release of Security Interest in Trademarks to be executed by its duly authorized officer, as of the date first written above.

CIBC BANK USA
as the Lender

By: *Lisette Alamo*
Name: Lisette Alamo
Title: Associate Managing Director

SCHEDULE A

Mark	Jurisdiction	Status	Appl. No.	Filing Date	Reg. No.	Reg. Date	Owner
CHOCOLATE WORKS	U.S. Federal	REGISTERED	88776029	28-JAN-2020	6129513	18-AUG-2020	5TH AVENUE CHOCOLATIERE, LLC
CHOCOLATE WORKS and Design 	U.S. Federal	REGISTERED	88776042	28-JAN-2020	6129514	18-AUG-2020	5TH AVENUE CHOCOLATIERE, LLC
CHOCOLATE WORKS	U.S. Federal	REGISTERED	87005997	19-APR-2016	5112957	03-JAN-2017	5TH AVENUE CHOCOLATIERE, LLC
CHOCOLATE WORKS and Design 	U.S. Federal	REGISTERED	87006015	19-APR-2016	5117952	10-JAN-2017	5TH AVENUE CHOCOLATIERE, LLC
CHOCOLATE WORKS	U.S. Federal	REGISTERED	86965945	06-APR-2016	5117882	10-JAN-2017	5TH AVENUE CHOCOLATIERE, LLC
CHOCOLATE WORKS and Design 	U.S. Federal	REGISTERED	86965976	06-APR-2016	5117885	10-JAN-2017	5TH AVENUE CHOCOLATIERE, LLC
ALMA	U.S. Federal	REGISTERED (RENEWED)	85054428	03-JUN-2010	3904371	11-JAN-2011	CW MOONSTRUCK LLC
MOONSTRUCK	U.S. Federal	REGISTERED (RENEWED)	76492379	24-FEB-2003	2812581	10-FEB-2004	CW MOONSTRUCK LLC
MOONSTRUCK CHOCOLATIER	U.S. Federal	REGISTERED (RENEWED)	74450647	25-OCT-1993	1855897	27-SEP-1994	CW MOONSTRUCK LLC
Design Only 	U.S. Federal	REGISTERED (RENEWED)	74450648	25-OCT-1993	1861090	01-NOV-1994	CW MOONSTRUCK LLC

Mark	Jurisdiction	Status	Appl. No.	Filing Date	Reg. No.	Reg. Date	Owner
Design Only 	U.S. Federal	REGISTERED (RENEWED)	76492101	24-FEB- 2003	2837997	04-MAY- 2004	CW MOONSTRUCK LLC