

TRADEMARK ASSIGNMENT

Electronic Version v1.1  
 Stylesheet Version v1.1

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT
<b>NATURE OF CONVEYANCE:</b>	Termination and Release of Security Interest in Trademarks

<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
Cole Taylor Bank		04/09/2013	banking corporation: ILLINOIS

<b>RECEIVING PARTY DATA</b>	
<b>Name:</b>	Spirit Foodservice, Inc.
<b>Street Address:</b>	1900 W. Field Court
<b>City:</b>	Lake Forest
<b>State/Country:</b>	ILLINOIS
<b>Postal Code:</b>	60045
<b>Entity Type:</b>	CORPORATION: DELAWARE

<b>PROPERTY NUMBERS Total: 4</b>		
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>
<b>Registration Number:</b>	3995263	SIDE KICK
<b>Registration Number:</b>	4064423	SIDEKICK
<b>Registration Number:</b>	0588761	SPIR-IT
<b>Registration Number:</b>	0719237	STIRSTIC

<b>CORRESPONDENCE DATA</b>	
<b>Fax Number:</b>	2129096836
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i>	
<b>Phone:</b>	212-909-6000
<b>Email:</b>	trademarks@debevoise.com
<b>Correspondent Name:</b>	Catherine T. Kiwala, Esq.
<b>Address Line 1:</b>	919 Third Avenue
<b>Address Line 2:</b>	Debevoise & Plimpton LLP
<b>Address Line 4:</b>	New York, NEW YORK 10022

<b>ATTORNEY DOCKET NUMBER:</b>	23091-1147
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NAME OF SUBMITTER:	Catherine T. Kiwala
Signature:	/Catherine T. Kiwala/
Date:	04/09/2013
<b>Total Attachments: 3</b> source=Trademark Security Interest Termination Agreement##page1.tif source=Trademark Security Interest Termination Agreement##page2.tif source=Trademark Security Interest Termination Agreement##page3.tif	

TERMINATION AND RELEASE OF  
SECURITY INTEREST IN TRADEMARKS

TERMINATION AND RELEASE, dated as of April 9, 2013, from Cole Taylor Bank, an Illinois banking corporation having a principal place of business at 9550 West Higgins Road, Rosemont, Illinois 60018 (the "Lender"), to Spirit Foodservice, Inc., a Delaware corporation having a principal place of business at 1900 W. Field Court, Lake Forest, Illinois 60045 (the "Assignor").

WITNESSETH:

WHEREAS, pursuant to the Trademark Security Agreement, dated as of May 26, 2011 (the "Trademark Security Agreement"), between the Assignor and the Lender, a security interest (the "Security Interest") was granted by the Assignor to the Lender in certain Marks (as defined below);

WHEREAS, the Trademark Security Agreement was recorded in the Trademark Division of the United States Patent and Trademark Office on June 15, 2011, at Reel 4561, Frame 0751; and

WHEREAS, the Lender now desires to terminate and release the entirety of its Security Interest in the trademarks listed on Schedule I hereto (the "Marks");

NOW, THEREFORE, for good and valuable consideration including the satisfaction of all obligations, indebtedness and liabilities secured by the Marks pursuant to the Trademark Security Agreement, the receipt and adequacy of which are hereby acknowledged, and upon the terms set forth in this Termination and Release, the Lender hereby states as follows:

1. Release of Security Interest: The Lender hereby terminates, releases and discharges its Security Interest in, to and under all of the Marks, and any right, title or interest of the Lender in, to or under such Marks shall hereby terminate, cease and become void.
2. Further Assurances: The Lender shall, at the request and expense of Assignor, promptly execute and deliver to the Assignor all further instruments (including, but not limited to, Uniform Commercial Code termination statements on Form UCC-3) necessary or reasonably desirable to Assignor for the release of the Security Interest.

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[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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

COLE TAYLOR BANK, as Lender

By: Martha Gaskin  
Name: Martha Gaskin  
Title: SVP

Schedule I

Trademarks

<u>TRADEMARK</u>	<u>App. No.</u>	<u>Filing Date</u>	<u>Reg. No.</u>	<u>Reg. Date</u>
SIDE KICK	85147427	10/7/2010	3995263	7/12/2011
SIDEKICK	85121814	9/2/2010	4064423	11/29/2011
SPIR-IT	71648968	6/17/1953	0588761	4/20/1954
STIRSTIC	72103814	9/1/1960	0719237	8/1/1961