

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM306129

SUBMISSION TYPE:		NEW ASSIGNMENT	
NATURE OF CONVEYANCE:		SECURITY INTEREST	
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Fifth Third Bank		05/10/2010	CORPORATION: OHIO
RECEIVING PARTY DATA			
Name:	Hearthside Food Solutions, LLC		
Street Address:	3250 Lacey Road		
Internal Address:	Suite 200		
City:	Downers Grove		
State/Country:	ILLINOIS		
Postal Code:	60515		
Entity Type:	CORPORATION: DELAWARE LIMITED LIABILITY COMPANY: DELAWARE		
PROPERTY NUMBERS Total: 23			
Property Type	Number	Word Mark	
Registration Number:	0691791	BUCKEYE SPARKLING DRY	
Registration Number:	1336846	WARMING TRENDS	
Registration Number:	1445436	JP RICH & TASTY	
Registration Number:	1439387	DANISH DELIGHT	
Registration Number:	1650937	CBC CONSOLIDATED BISCUIT COMPANY	
Registration Number:	1775385	"NATURALLY" FAT-FREE	
Registration Number:	2127929	FIRESIDE	
Registration Number:	2127930	FIRESIDE	
Registration Number:	2091607	CHUG NUTS	
Registration Number:	2042416	PROFESSOR CRUMB'S	
Registration Number:	2089837	CINNAMON JAZZ	
Registration Number:	2026806	PECAN HARVEST	
Registration Number:	2121047	GURLEY'S GOLDEN RECIPE	
Registration Number:	2192106	GURLEY'S GOLDEN RECIPE	
Registration Number:	2373329	NATIVE GRAINS	
Registration Number:	2393204	AMERICAN BRITTLE	
Registration Number:	2559606	SNACK QUACKS	
Registration Number:	2442659	BRITTLE FACTORY	
Serial Number:	76123539	E-VALUEPLUS.COM	

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Property Type	Number	Word Mark
Serial Number:	76211022	FIRESIDE
Serial Number:	76211024	FIRESIDE
Registration Number:	2656418	FIRESIDE BAKING COMPANY
Registration Number:	2972792	FIRESIDE BAKING COMPANY

CORRESPONDENCE DATA

Fax Number: 2156562498

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: 215-656-3381

Email: pto.phil@dlapiper.com

Correspondent Name: IP GROUP OF DLA PIPER LLP (US)

Address Line 1: ONE LIBERTY PLACE

Address Line 2: 1650 MARKET ST. SUITE 4900

Address Line 4: PHILADELPHIA, PENNSYLVANIA 19103

ATTORNEY DOCKET NUMBER: HFS-1-B(380389-6)

NAME OF SUBMITTER: William L. Bartow

SIGNATURE: /williamlbartow/

DATE SIGNED: 05/30/2014

Total Attachments: 4

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RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY RIGHTS

This is a Release of Security Interest in Intellectual Property Rights (“Release”), entered into this 14 day of May, 2014; and intended to be effective *nunc pro tunc* as of the 10th day of May, 2014 (the “Effective Date”) by:

Fifth Third Bank, an Ohio banking Corporation (the “Secured Party” for the benefit of itself and other secured creditors);

in favor of:

Hearthside Food Solutions, LLC (f/k/a Consolidated Biscuit Co.) a Delaware limited liability company (the “Debtor”);

WHEREAS, the Secured Party and Debtor entered into an agreement titled *Security Agreement*, dated June 19, 2003 (the “Security Agreement”) and the accompanying short-form agreement titled *Trademark Collateral Agreement* (the “Trademark Agreement”), which was recorded with the United States Patent and Trademark Office on June 19, 2003 at Reel/Frame No.: 002762/0720, with respect to the Secured Party’s rights in the United States trademark registrations and applications listed on **Exhibit A** (the “Trademarks”); and

WHEREAS, the Secured Party and Debtors have terminated the Security Agreement, as of or prior to the Effective Date, thereby releasing the security interest in certain assets of the Secured Party, including the Trademarks, created therein, and assigning any rights Secured Party may have acquired in such assets, including the Trademarks, back to Debtors.

NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the Secured Party agrees as follows:

1. The Security Agreement and Trademark Agreement are hereby terminated, the security interest created therein is released in its entirety, and any rights of Secured Party in the Trademarks are assigned to Debtors without any representations or warranties as to title or any other matter whatsoever.
2. Debtors presently and hereafter hold title to the Trademarks in the same manner as would have been the case if the Security Agreement and Trademark Agreement had never been entered into.
3. Any provision of this Release which is invalid, illegal, or unenforceable in any jurisdiction shall, as to that jurisdiction, be ineffective only to the extent of such invalidity, illegality, or unenforceability, and shall not in any manner affect the remaining provisions hereof in such jurisdiction or render any other provision of this Release invalid, illegal, or unenforceable in any other jurisdiction.

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REEL: 005295 FRAME: 0855**

4. This Release shall be binding upon Secured Party and its respective successors and assigns, and shall inure to the benefit of the Debtors and Debtors' heirs, administrators, successors and assigns.
5. Except to the extent governed by United States Federal law, this Release shall be governed by and interpreted in accordance with the laws of the State of Illinois, without regard to the conflict of laws principles thereof.

[signature pages follow]

IN WITNESS WHEREOF, Secured Party has caused this Release to be executed by its duly authorized officer on the date first set forth above.

HEARTHSIDE FOOD SOLUTIONS, LLC (formerly CONSOLIDATED BISCUIT CO.)

By: Richard Scalise

Printed Name: Richard Scalise

Title: CHAIRMAN & CEO

FIFTH THIRD BANK

By: Adolph G. Letke

Printed Name: Adolph G. Letke

Title: VP

EXHIBIT A TO RELEASE – TRADEMARKS

US Trademarks and Trademark Applications of the Debtors

<u>MARK</u>	<u>REG. NO.</u>	<u>SERIAL NO.</u>	<u>FILED</u>	<u>REGISTERED</u>
Buckeye Sparking Dry	691,791	72/064,692	December 22, 1958	January 19, 1960
Warming Trends	1,336,846	73/500,199	September 20, 1984	May 21, 1985
JP Rich & Tasty	1,445,436	73/605,988	June 23, 1986	June 30, 1987
Danish Delight	1,439,387	73/613,290	August 6, 1986	May 12, 1987
CBC Consolidated Biscuit Company	1,650,937	74/075,795	July 2, 1990	July 16, 1991
“Naturally” Fat-Free	1,775,385	74/313,508	September 14, 1992	June 8, 1993
Fireside	2,127,929	74/446,865	October 14, 1993	January 13, 1998
Fireside	2,127,930	74/446,866	October 14, 1993	January 13, 1998
Chug Nuts	2,091,607	74/556,166	July 29, 1994	August 26, 1997
Professor Crumb’s	2,042,416	74/714,702	August 14, 1995	March 4, 1997
Cinnamon Jazz	2,089,837	75/017,889	November 13, 1995	August 19, 1997
Pecan Harvest	2,026,806	75/017,892	November 13, 1995	December 31, 1996
Gurley’s Golden Recipe	2,121,047	75/124,757	June 24, 1996	December 16, 1997
Gurley’s Golden Recipe	2,192,106	75/318,730	July 2, 1997	September 29, 1998
Native Grains	2,373,329	75/364,871	September 29, 1997	August 1, 2000
American Brittle	2,393,204	75/732,763	June 21, 1999	October 10, 2000
Snack Quacks	2,559,606	75/821,581	October 12, 1999	April 9, 2002
Brittle Factory	2,442,659	76/014,671	March 31, 2000	April 10, 2001
E-ValuePlus.com	None	76/123,539	September 6, 2000	
Fireside	None	76/211,022	February 15, 2001	
Fireside	None	76/211,024	February 15, 2001	
Fireside Baking Company	2,656,418	76/364,919	January 29, 2002	December 3, 2002
Fireside Baking Company	2,972,792	78/160,170	September 3, 2002	July 19, 2005
	466,518	90/466,518		
	651,505	90/651,505		