

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM669644

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|---|--------------------------------------|-----------------------|--------------------|
| SUBMISSION TYPE: | NEW ASSIGNMENT | | |
| NATURE OF CONVEYANCE: | RELEASE OF SECURITY INTEREST | | |
| CONVEYING PARTY DATA | | | |
| Name | Formerly | Execution Date | Entity Type |
| Avidbank | | 07/29/2021 | Bank: CALIFORNIA |
| RECEIVING PARTY DATA | | | |
| Name: | 1934 It Happened One Night LLC | | |
| Street Address: | 9903 Santa Monica Blvd | | |
| Internal Address: | Suite 605 | | |
| City: | Beverly Hills | | |
| State/Country: | CALIFORNIA | | |
| Postal Code: | 90212 | | |
| Entity Type: | Limited Liability Company: DELAWARE | | |
| PROPERTY NUMBERS Total: 1 | | | |
| Property Type | Number | Word Mark | |
| Registration Number: | 4889504 | PHYTOWORX | |
| CORRESPONDENCE DATA | | | |
| Fax Number: | 9198216800 | | |
| <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: | (919) 838-2034 | | |
| Email: | pkarmire@smithlaw.com | | |
| Correspondent Name: | Perky L.Karmire / Smith Anderson Law | | |
| Address Line 1: | 150 Fayetteville Street | | |
| Address Line 2: | Suite 2300 | | |
| Address Line 4: | Raleigh, NORTH CAROLINA 27601 | | |
| NAME OF SUBMITTER: | Perky L. Karmire | | |
| SIGNATURE: | /s/ Perky L.Karmire | | |
| DATE SIGNED: | 08/23/2021 | | |
| Total Attachments: 3 | | | |
| source=1934 It Happened One Night - USPTO Termination and Release of IP SA #page1.tif | | | |
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**TERMINATION AND RELEASE
OF
INTELLECTUAL PROPERTY SECURITY AGREEMENT**

This TERMINATION AND RELEASE OF INTELLECTUAL PROPERTY SECURITY AGREEMENT ("Termination and Release") dated as of July 29, 2021, is made by AvidBank Bank ("Grantee") in favor of 1934 It Happened One Night LLC ("Grantor"). Capitalized terms used in this Termination and Release and not otherwise defined herein have the meanings specified in the Intellectual Property Security Agreement (defined below) or the Loan Security Agreement (defined below), as applicable.

WITNESSETH:

WHEREAS, pursuant to that certain Loan Security Agreement dated as of May 26, 2021, by and between Grantor and Grantee, Grantor executed that certain Intellectual Property Security Agreement, dated as of May 26, 2021, the "Intellectual Property Security Agreement"), which was recorded in the United States Patent and Trademark Office on May 31, 2021 at Reel 7311 Frame 0180, pursuant to which Grantor granted a security interest to Lenders in Grantor's Trademarks, including certain trademarks and/or trademarks applications listed on Schedule A attached hereto and made a part hereof.

WHEREAS, Grantee now desires to terminate and release its security interest in the Trademarks listed on Schedule A attached hereto and reassign any and all rights, title, and interest in the same to Grantor;

NOW, THEREFORE, for good and valuable consideration, receipt and sufficiency of which are hereby acknowledged:

1. Grantee hereby releases its security interest in all of Grantor's right, title and interest in and to the Trademarks set forth on Schedule A.
2. If and to the extent that Grantee has acquired any right, title or interest in or to any of the Trademarks set forth on Schedule A, Grantee hereby reassigns, grants and conveys to Grantor, without any representation, warranty, recourse or undertaking by Grantee, any and all of Grantee's right, title, and interest in and to such Trademarks.

[signature page follows]

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

AVIDBANK

By: 

Name: Parker McKay

Title: Senior User Researcher

[Signature Page to Termination and Release of Intellectual Property and Security Agreement]

TRADEMARK
REEL: 007401 FRAME: 0216

Schedule A

| Trademark | Registration or Serial | Registration or Filing Date |
|------------------|-------------------------------|------------------------------------|
| PHYTOWORX | 4889504 | January 19, 2016 |
| | | |