TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1 Stylesheet Version v1.2 ETAS ID: TM678389

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	RELEASE OF SECURITY INTEREST

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
Sterling National Bank		10/01/2021	National Banking Association: UNITED STATES

RECEIVING PARTY DATA

Name:	Evan Cole
Street Address:	3225 Helms Avenue
City:	Los Angeles
State/Country:	CALIFORNIA
Postal Code:	90034
Entity Type:	INDIVIDUAL: UNITED STATES
Name:	H.D. Buttercup, L.P.
Street Address:	3225 Helms Ave
City:	Los Angeles
State/Country:	CALIFORNIA
Postal Code:	90034
Entity Type:	Limited Partnership: TEXAS

PROPERTY NUMBERS Total: 5

Property Type	Number	Word Mark
Registration Number:	3335683	H.D. BUTTERCUP
Serial Number:	86695704	H.D. BUTTERCUP
Serial Number:	86255673	H.D. BUTTERCUP'S BREAD & BUTTER
Registration Number:	3169147	MANUTAILERS
Registration Number:	3145943	MANUTAILING

CORRESPONDENCE DATA

Fax Number: 2125215450

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: 212-549-4195

cnye@reedsmith.com Email:

Correspondent Name: Peter A. Emmi, Reed Smith LLP

Address Line 1: 599 Lexington Avenue

TRADEMARK

REEL: 007439 FRAME: 0472 900647112

	nd Floor w York, NEW YORK 10022
NAME OF SUBMITTER:	Peter A. Emmi
SIGNATURE:	/Peter A. Emmi/
DATE SIGNED:	10/01/2021
Total Attachments: 4 source=Trademark Release - Evan C source=Trademark Release - Evan C	
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Schedule 1

TERMINATION AND RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY

This TERMINATION AND RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY dated as of October 1, 2021 (this "Release"), is made by Sterling National Bank, a national banking association, with an office at 8401 N. Central Expressway, Suite 600, Dallas, Texas 75225 (the "Secured Party"), in favor of Evan Cole an individual, and H.D. Buttercup L.P., with an office at 3225 Helms Ave., Los Angeles, CA 90034 (collectively, the "Grantors").

WHEREAS, pursuant to that certain Patent, Copyright and Trademark Security Agreement dated August 29, 2016 (as the same may have been amended, modified, restated or supplemented from time to time, the "Security Agreement"), by and among the Grantors and the Secured Party, the Grantors granted to the Secured Party a continuing security interest in and lien upon to certain Intellectual Property Collateral (including the registered trademarks and trademark applications, trademark licenses, and domain names included on Schedule 1 hereto) which was recorded in the US Patent & Trademark Office on May 12, 2021 at at Reel 7290, Frame 0382.

WHEREAS, as part of the transactions relating to and pursuant to an Asset Purchase Agreement dated September 28, 2021 ("APA") executed between several third party entities and the Grantors relating to the sale of related assets including the Intellectual Property Collateral included on Schedule 1 hereto, and under which APA the lien relating to the Security Interest shall be fully satisfied, Grantors wish to obtain and record an executed copy of this release of lien from the Secured Party, and the Secured Party wishes to provide the same to Grantors.

NOW THEREFORE, in consideration of the mutual promises and undertakings set forth herein and in the APA, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and with the intention of being legally bound hereby, Secured Party, and Grantors agree as follows:

- SECTION 1. <u>Defined Terms</u>. All capitalized terms used herein but not otherwise defined herein have the meanings given to them in the Security Agreement.
- SECTION 2. <u>Termination and Release</u>. Secured Party, without representation, warranty, or recourse, hereby irrevocably:
- (a) terminates, cancels, discharges, and releases the continuing security interest in and continuing lien upon all Intellectual Property Collateral, including the registered trademarks, trademark applications, trademark licenses, and domain names listed on <u>Schedule 1</u> attached hereto, granted pursuant to the Security Agreement, and reassigns to Company any and all right, title and interest that it may have, in, to and under such Intellectual Property Collateral; and
 - (b) authorizes the recordation of this Release with the USPTO at Grantors' expense.
- SECTION 3. Further Assurances. Secured Party agrees, at Grantors' expense, to take all further actions, and provide to Grantors and their successors, assigns and legal representatives all such cooperation and assistance, including, without limitation, the execution and delivery of any and all further documents or other instruments, as Grantors and their successors, assigns and legal representatives may reasonably request in order to confirm, effectuate or record this Release.

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SECTION 4. Choice of Law. This Release and obligations of the parties hereunder, and all of their successors, assigns, and transferees, shall be governed by and construed in accordance with the laws of the State of New York.

IN WHITNESS WHEREOF, the Secured Party has caused this Termination and Release of Security Interest in Intellectual Property to be duly executed as of the date first set forth above.

SECURED PARTY:

STERLING NATIONAL BANK

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Name: Lawyence J. Cannariato

Title: Director - Portfolio Management

Schedule 1

Registered Trademarks & Trademark Applications:

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Trademark Licenses: Trademark License Agreement dated as of August 29, 2016, between Evan Cole, as licensor, and H.D. Buttercup L.P., as licensee. **Domain Names:** www.hdbuttercup.com**

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RECORDED: 10/01/2021