

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM786858

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	RELEASE OF SECURITY INTEREST		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
NXT CAPITAL, LLC		02/10/2023	Limited Liability Company: DELAWARE
RECEIVING PARTY DATA			
Name:	RFG Dairy, LLC		
Street Address:	7424 SOUTH LOCKWOOD AVENUE		
City:	BEDFORD PARK		
State/Country:	ILLINOIS		
Postal Code:	60638		
Entity Type:	Limited Liability Company: DELAWARE		
PROPERTY NUMBERS Total: 4			
Property Type	Number	Word Mark	
Serial Number:	77892664	NOGA DELITE	
Serial Number:	78745221	NOGA	
Serial Number:	85474040	BIOCHOICE	
Serial Number:	86530661	YOGURT IS OUR CULTURE	
CORRESPONDENCE DATA			
Fax Number:			
<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:	2027994000		
Email:	gregory.esau@dlapiper.com		
Correspondent Name:	Gregory Esau		
Address Line 1:	500 Eighth Street, NW		
Address Line 4:	Washington, D.C. 20004		
NAME OF SUBMITTER:	Gregory Esau		
SIGNATURE:	/Gregory Esau/		
DATE SIGNED:	02/14/2023		
Total Attachments: 3			
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TRADEMARK RELEASE AND REASSIGNMENT

THIS TRADEMARK RELEASE AND REASSIGNMENT is made as of February 10, 2023, by NXT CAPITAL, LLC (“Secured Party”). Capitalized terms used but not defined herein shall have the same meanings assigned to such terms in the Security Agreement (as defined below).

W I T N E S S E T H:

WHEREAS, RFG Dairy, LLC, a Delaware limited liability company (“Grantor”) and Secured Party were parties to that certain Trademark Security Agreement dated as of August 16, 2018 (the “Security Agreement”) pursuant to which the Grantor granted a security interest to Secured Party in certain Trademarks and Trademark Collateral (as defined below) as security for certain obligations owing by Grantor to Secured Party, including the Trademarks set forth on Schedule 1 hereto;

WHEREAS, the Security Agreement was recorded by the Trademark Division of the United States Patent and Trademark Office on August 16, 2018, at Reel 6415, Frame 0852;

WHEREAS, Grantor has requested that Secured Party release its security interest in the Trademarks and Trademark Collateral and reassign any and all rights in the same to Grantor.

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

1. Secured Party hereby releases its security interest in all of Grantor’s right, title and interest in and to the following (collectively the “Trademark Collateral”):

(i) each Trademark listed on Schedule 1 annexed hereto, together with any reissues, continuations or extensions thereof, and all of the goodwill of the business connected with the use of, and symbolized by, each Trademark; and

(ii) all products and proceeds of the forgoing, including without limitation, any claim by Grantor against third parties for past, present or future (a) infringement or dilution of any Trademark, or (b) injury to the goodwill associated with any Trademark.

2. Secured Party hereby reassigns, grants and conveys to the Grantor, without any representation, recourse or undertaking by Secured Party, any and all of Secured Party’s right, title and interest in and to the Trademarks and the Trademark Collateral.

[Signature Page Follows]

IN WITNESS WHEREOF, Secured Party has caused this Trademark Release and Reassignment to be executed as of the day and year first above written.

NXT CAPITAL, LLC

By: 
Name: Dan Green
Title: Managing Director

SCHEDULE 1

Trademark	Application Number (Application Date)	Registration Number (Registration Date)
<u>BIOCHOICE</u>	85474040 (November 16, 2011)	4302363 (March 12, 2013)
<u>NOGA</u>	78745221 (November 2, 2005)	3198370 (January 16, 2007)
<u>NOGA DELITE</u>	77892664 (December 14, 2009)	3926707 (March 1, 2011)
<u>YOGURT IS OUR CULTURE</u>	86530661 (February 10, 2015)	4821951 (September 29, 2015)