

PATENT ASSIGNMENT COVER SHEET

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SUBMISSION TYPE:	NEW ASSIGNMENT																														
NATURE OF CONVEYANCE:	TERMINATION AND RELEASE OF SECURITY INTEREST IN PATENTS (RECORDED AT REEL 024170 FRAME 0356)																														
CONVEYING PARTY DATA																															
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Patent Number:	D333219
Patent Number:	D346079
Patent Number:	5463845
Patent Number:	5480372
Patent Number:	5463848
Patent Number:	5419100
Patent Number:	5958482
Patent Number:	6572907
Patent Number:	D358927
Application Number:	10211650
Application Number:	10408425

CORRESPONDENCE DATA

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ATTORNEY DOCKET NUMBER: 031752-140

NAME OF SUBMITTER:

PATENT
REEL: 032279 FRAME: 0765

	JOHN E. SLAUGHTER
Signature:	/John E. Slaughter/
Date:	02/19/2014
Total Attachments: 4 source=Termination - Patents - Diamond (0356)#page1.tif source=Termination - Patents - Diamond (0356)#page2.tif source=Termination - Patents - Diamond (0356)#page3.tif source=Termination - Patents - Diamond (0356)#page4.tif	

**TERMINATION AND RELEASE OF SECURITY INTEREST
IN PATENTS**

This **TERMINATION AND RELEASE OF SECURITY INTEREST IN PATENTS**, dated as of February 19, 2014 ("Release"), is made by Bank of America, N.A., as Administrative Agent ("Administrative Agent") in favor of Diamond Foods, Inc., a Delaware corporation ("Grantor").

WHEREAS, pursuant to that certain Collateral Agreement dated as of February 25, 2010 (as amended, restated, supplemented, modified, extended, renewed or replaced from time to time, the "Collateral Agreement") by and among the Grantors party thereto and the Administrative Agent, and the Patent Security Agreement dated as of March 31, 2010 ("Patent Security Agreement") by and among the Grantor and the Administrative Agent, each Grantor granted to the Administrative Agent, for the ratable benefit of the Secured Parties, a security interest in all right, title and interest of such Grantor in, to, and under all the Patents, Patent Licenses, and Proceeds of the foregoing; and

WHEREAS, the Patent Security Agreement was recorded at the United States Patent and Trademark Office ("USPTO") on April 1, 2010 at Reel 024170 Frame 0356.

NOW THEREFORE, in consideration of the mutual promises and undertakings set forth herein 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, Administrative Agent, on behalf of the Secured Parties, and Grantor agree as follows:

SECTION 1. Defined Terms. All capitalized terms used herein but not otherwise defined herein have the meanings given to them in the Collateral Agreement or Patent Security Agreement.

SECTION 2. Termination and Release. Administrative Agent, on behalf of the Secured Parties, without representation, warranty, or recourse, hereby:

(a) terminates, cancels, discharges, and releases the mortgage, pledge, and hypothecation and lien on and security interest in and to the right, title, and interest in, to, and under all the Patents, Patent Licenses, and Proceeds of the foregoing, including, but not limited to, the foregoing listed on Schedule A attached hereto; and

(b) authorizes the recordation of this Release with the USPTO at Grantor's expense.

SECTION 3. Choice of Law. This Release shall be governed by and construed in accordance with the laws of the State of New York.

IN WITNESS WHEREOF, the Administrative Agent, on behalf of the Secured Parties, has caused this Termination and Release of Security Interest in Patents to be duly executed as of the date first set forth above.

Administrative Agent:

Bank of America, N.A., as Administrative Agent

By: 

Name: G. Christopher Miller

Title: Senior Vice President

DIAMOND FOODS, INC.
TERMINATION AND RELEASE OF SECURITY INTEREST IN PATENTS (2010 FILING)

PATENT
REEL: 032279 FRAME: 0768

Schedule A

Diamond Foods, Inc.
(Delaware Corporation)

U.S. Patents

Issued Patents

Description	Patent No.	Issued
OIL RESISTANT PACKAGING CONTAINER	7713561	05/11/10
EASILY EXPANDABLE, NONTRAPPING, FLEXIBLE PAPER, MICROWAVE PACKAGE	D518732	04/11/06
EASILY EXPANDABLE, FLEXIBLE PAPER POPCORN PACKAGE	6951999	10/04/05
EASILY EXPANDABLE, NONTRAPPING, FLEXIBLE PAPER, MICROWAVE PACKAGE	6884978	04/26/05
MICROWAVE POPCORN ARTICLE INCORPORATING COARSE SALT	6733807	05/11/04
EASILY EXPANDABLE, NONTRAPPING, FLEXIBLE PAPER, MICROWAVE PACKAGE	6706296	03/16/04
SHELF-STABLE BUTTER CONTAINING MICROWAVE POPCORN ARTICLE AND METHOD OF PREPARATION	6660983	12/09/03
EASILY EXPANDABLE, NONTRAPPING, FLEXIBLE PAPER, MICROWAVE PACKAGE	6333059	12/25/01
MICROWAVE FOOD PACKAGE AND METHOD	6306448	10/23/01
FOOD PACKAGE FOR MICROWAVE HEATING	6259079	07/10/01
MICROWAVE POPCORN INCORPORATING COARSE SALT AND METHOD OF PREPARATION	6231903	05/15/01
SHELF-STABLE BUTTER CONTAINING MICROWAVE POPCORN ARTICLE	6210721	04/03/01
EASILY EXPANDABLE, NONTRAPPING, FLEXIBLE PAPER, MICROWAVE PACKAGE	6093429	07/25/00
MICROWAVE POPCORN WITH LIQUID FAT AND METHOD OF PREPARATION	6066346	05/23/00
MICROWAVE POPCORN FORTIFIED WITH CALCIUM AND METHOD OF PREPARATION	6013291	01/11/00
SHELF-STABLE BUTTER CONTAINING MICROWAVE POPCORN ARTICLE AND METHOD OF PREPARATION	5997916	12/07/99
MICROWAVE POPCORN WITH COARSE SALT CRYSTALS AND METHOD OF PREPARATION	5919505	07/06/99
METHOD OF PREPARING REDUCED FAT MICROWAVE POPCORN	5897894	04/27/99
EASILY EXPANDABLE, FLEXIBLE PAPER POPCORN PACKAGE	5690979	11/25/97
SINGLE LAYER, GREASEPROOF, FLEXIBLE PAPER POPCORN PACKAGE	5498080	03/12/96
APPARATUS FOR OPENING MICROWAVE POPCORN BAGS	5461216	10/24/95
COMBINATION FOOD CONTAINER AND SCOOP	5507132	04/16/96
COMBINATION FOOD CONTAINER AND SCOOP	D293407	12/29/87
FOOD CONTAINER WITH A HINGED COVER	D293289	12/22/87
MICROWAVE METHOD OF POPPING POPCORN AND PACKAGE	4744487	05/17/88
	4973810	11/27/90

Description	Patent No.	Issued
THEREFOR		
PROCESS FOR REMOVING PELLICLE FROM NUT MEATS	4959236	09/25/90
FLEXIBLE POUCH AND PAPER BAG COMBINATION FOR USE IN THE MICROWAVE POPPING OF POPCORN	5171950	12/15/92
COMBINED DISPLAY AND SELF-SERVICE MERCHANDISING CABINET	D333219	02/16/93
DISPLAY MERCHANDISING CABINET	D346079	04/19/94
APPARATUS FOR FOLDING, FILLING, AND SEALING MICROWAVE POPCORN BAGS	5463845	11/07/95
APPARATUS FOR FOLDING AND LOADING MICROWAVE POPCORN BAGS INTO A FIXTURE	5480372	01/02/96
APPARATUS FOR FOLDING AND EJECTING MICROWAVE POPCORN BAGS FROM A FIXTURE	5463848	11/07/95
APPARATUS FOR COLLAPSING MICROWAVE POPCORN BAGS HELD IN A FIXTURE	5419100	05/30/95
EASILY EXPANDABLE NONTRAPPING FLEXIBLE PAPER MICROWAVABLE POPCORN PACKAGE	5958482	09/28/99
METHOD FOR DRYING WALNUTS	6572907	06/03/03
FOOD PRODUCT	D358927	06/06/95

Patent Applications

Description	Appl. No.	Filing Date
METHOD AND APPARATUS FOR FEEDING AND ADVANCING POPCORN BAGS FROM A STACK	10211650 20040012137	07/22/02
SWEET MICROWAVE POPCORN AND METHOD OF PREPARATION	10408425 20040197441	04/07/03