

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	SECURITY INTEREST

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
Buffalo Rock Company		12/31/2009	CORPORATION: ALABAMA

RECEIVING PARTY DATA

Name:	Bank of America, N.A.
Street Address:	600 Peachtree Street
Internal Address:	13th Floor, Mail Code: GA1-006-13-15
City:	Atlanta
State/Country:	GEORGIA
Postal Code:	30308
Entity Type:	National Association: UNITED STATES

PROPERTY NUMBERS Total: 9

Property Type	Number	Word Mark
Registration Number:	3174202	BALANCED FOR BETTER LIVING
Registration Number:	3465043	SMOKIN' BUFFALO AWARD WINNING BBQ SAUCE
Registration Number:	3107419	DR WHAM
Registration Number:	3104542	DR RAGE
Registration Number:	2391666	BUFFALO ROCK
Registration Number:	2395766	ORANGICO
Registration Number:	2107091	
Registration Number:	1529948	GRAPICO
Registration Number:	0614538	DRINK SUN-FRESH BEVERAGES

CORRESPONDENCE DATA

Fax Number: (404)581-8330
Correspondence will be sent via US Mail when the fax attempt is unsuccessful.
 Phone: 404-581-8275

OP \$240.00 3174202

Email: srbrown@jonesday.com
Correspondent Name: Sidney R. Brown
Address Line 1: 1420 Peachtree Street, N.E.
Address Line 2: Suite 800
Address Line 4: Atlanta, GEORGIA 30309

ATTORNEY DOCKET NUMBER:	739326-142026
NAME OF SUBMITTER:	Sidney R. Brown
Signature:	/Sidney R. Brown/
Date:	01/05/2010

Total Attachments: 4

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GRANT OF SECURITY INTEREST IN UNITED STATES TRADEMARKS

FOR GOOD AND VALUABLE CONSIDERATION, receipt and sufficiency of which are hereby acknowledged, Buffalo Rock Company, an Alabama corporation (the "*Grantor*"), with principal offices at 111 Oxmoor Road, Birmingham, Alabama 35209, hereby assigns and grants to Bank of America, N.A., as Collateral Agent, with principal offices at 600 Peachtree Street, 13th Floor, Mail Code: GA1-006-13-15, Atlanta, Georgia 30308 (the "*Grantee*"), a security interest in (i) all of the Grantor's right, title and interest in and to the United States trademarks, trademark registrations and trademark applications (the "*Marks*") set forth on Schedule A attached hereto, (ii) all Proceeds (as such term is defined in the Security Agreement referred to below) and products of the Marks, (iii) the goodwill of the businesses with which the Marks are associated and (iv) all causes of action arising prior to or after the date hereof for infringement of any of the Marks or unfair competition regarding the same.

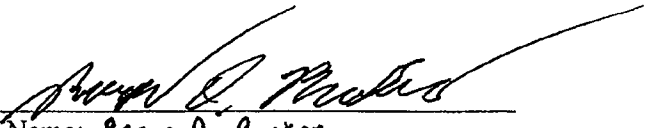
THIS GRANT is made to secure the satisfactory performance and payment of all the Obligations (as such term is defined in the Security Agreement among the Grantor, the other assignors from time to time party thereto and the Grantee, dated as of December 31, 2009 (as amended from time to time, the "*Security Agreement*")) of the Grantor. Once the Obligations have been indefeasibly paid in full, the Grantee shall execute, acknowledge, and deliver to the Grantor an instrument in writing releasing the security interest in the Marks acquired under this Grant.

This Grant has been granted in conjunction with the security interest granted to the Grantee under the Security Agreement. The rights and remedies of the Grantee with respect to the security interest granted herein are as set forth in the Security Agreement, all terms and provisions of which are incorporated herein by reference. In the event that any provisions of this Grant are deemed to conflict with the Security Agreement, the provisions of the Security Agreement shall govern.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK; SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the undersigned have executed this Grant as of the 31st day of December, 2009.

BUFFALO ROCK COMPANY, as Grantor

By: 
Name: Roger D. Barker
Title: Senior Vice-President

BANK OF AMERICA, N.A.,
as Collateral Agent and Grantee

By: _____
Name:
Title:

Trademark Security Agreement

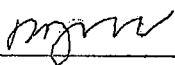
TRADEMARK
REEL: 004124 FRAME: 0309

IN WITNESS WHEREOF, the undersigned have executed this Grant as of the 31st day of December, 2009.

BUFFALO ROCK COMPANY, as Grantor

By: _____
Name:
Title:

BANK OF AMERICA, N.A.,
as Collateral Agent and Grantee

By: 
Name: **David B. Jackson**
Title: **Senior Vice President**

Trademark Security Agreement

SCHEDULE A

MARK	REG. NO.	REG. DATE
Balanced for Better Living	3174202	November 21, 2006
Smokin' Buffalo Award Winning BBQ Sauce	3465043	July 15, 2008
Dr Wham	3107419	June 20, 2006
Dr Rage	3104542	June 13, 2006
Buffalo Rock	2391666	October 3, 2000
Orangico	2395766	October 17, 2000
Logo Mark (Buffalo)	2107091	October 21, 1997
Grapico	1529948	March 14, 1989
Drink Sun-Fresh Beverages	0614538	October 18, 1955