# 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                            |
|-------------------------|----------|----------------|--|
| Princeton Vanguard, LLC |          | I11/15/2010 I  | LIMITED LIABILITY<br>COMPANY: DELAWARE |

### RECEIVING PARTY DATA

| Name:           | M&I Marshall & Ilsley Bank               |
|-----------------|--|
| Street Address: | 770 North Water Street                   |
| City:           | Milwaukee                                |
| State/Country:  | WISCONSIN                                |
| Postal Code:    | 53202                                    |
| Entity Type:    | Wisconsin Banking Corporation: WISCONSIN |

### PROPERTY NUMBERS Total: 18

| Property Type        | Number   | Word Mark  |
|----------------------|----------|--|
| Registration Number: | 3528180  | IT'S ALL ABOUT THE CRUNCH!                                 |
| Registration Number: | 3273012  | THE WORLD'S FIRST PRETZEL CRACKER                          |
| Registration Number: | 3128716  | THE SNACK FACTORY  |
| Registration Number: | 2980303  | PRETZEL CRISPS   |
| Serial Number:       | 77192054 | PRETZEL CRISPS   |
| Registration Number: | 3535211  | IRRESISTIBLY CRUNCHY. NATURALLY THIN. DELICIOUSLY GOURMET. |
| Registration Number: | 3579225  |  |
| Serial Number:       | 77505420 |  |
| Serial Number:       | 77885616 | THE BEST PART OF THE PRETZEL                               |
| Serial Number:       | 77885817 | RE-THINK YOUR PRETZEL                                      |
| Serial Number:       | 77885828 | THE BEST OF THE PRETZEL                                    |
| Serial Number:       | 76700802 | PRETZEL CRISPS   |
| Serial Number:       | 77896058 | RETHINK YOUR PRETZEL                                       |
|                      | II       | TRADEMARK  |

REEL: 004418 FRAME: 0653

| Serial Number: | 77905977 | RETHINK YOUR PRETZEL!     |
|----------------|----------|---------------------------|
| Serial Number: | 77908911 | SNACK FACTORY             |
| Serial Number: | 77886163 | DELIGHT IN A BAG          |
| Serial Number: | 77886112 | TASTE THE NEW TWIST       |
| Serial Number: | 77885653 | NOT YOUR FATHER'S PRETZEL |

#### **CORRESPONDENCE DATA**

Fax Number: (414)278-3763

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Phone: 414-225-7563

Email: pbergin@dkattorneys.com

Correspondent Name: Patrick M. Bergin

Address Line 1: 111 East Kilbourn Avenue

Address Line 2: Suite 1400

Address Line 4: Milwaukee, WISCONSIN 53202

| ATTORNEY DOCKET NUMBER: | 10281.99908         |
|-------------------------|---------------------|
| NAME OF SUBMITTER:      | Patrick M. Bergin   |
| Signature:              | /Patrick M. Bergin/ |
| Date:                   | 11/18/2010          |

#### **Total Attachments: 7**

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# NOTICE OF GRANT OF SECURITY INTEREST IN INTELLECTUAL PROPERTY

United States Patent and Trademark Office, United States Copyright Office or foreign filing office

Please be advised that pursuant to a Grant of Security Interest in Intellectual Property dated as of November 15, 2010 (the "Security Agreement"), by The Snack Factory, LLC, a Delaware limited liability company ("Company"), Snack Factory, LLC, a New Jersey limited liability company ("Snack Factory"), Princeton Vanguard, LLC, a Delaware limited liability company ("Princeton Vanguard") (Company, Snack Factory and Princeton Vanguard each individually and collectively the "Borrower") and M & I Marshall & Ilsley Bank, (the "Lender"), the Borrower has granted to the Lender a continuing security interest in and continuing lien upon the patents and/or patent applications, trademarks and/or trademark applications and registered copyrights listed on Exhibits A, B and C, respectively, hereto.

The Lender hereby acknowledges that the security interest in the foregoing identified intellectual property: (i) may only be terminated in accordance with the terms of the Security Agreement; and (ii) is not to be construed as a present assignment of any such intellectual property.

Very truly yours,

PRINCETON VANGUARD, LLC

Kara M. Roell, Vice President

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# CHEDULE A

| DESIGN PATENTS                        | STATUS                | SER. NO/ REG.       | COUNTRY             |
|---------------------------------------|-----------------------|---------------------|---------------------|
|                                       |                       |                     |                     |
| Pretzel cracker with two holes        | Registered 2/8/2005   | 000 381 553-0001    | EU Community Design |
| Design/ Pretzel Cracker with one hole | Registered 2/21/2006  | Reg. No. D515,277   | US                  |
| Design/ 2 hole pretzel                | Registered 2/17/2006  | Reg. No.D1,267,192  | Japan               |
| Design Pretzel Cracker with           | Registered            | Reg. No. D200513201 | SINGAPORE           |
| Design/ leaf shaped edible product    | Registered 12/30/1997 | D388,235            | US                  |
|                                       | Registered 10/13/1998 |                     |                     |
| Design/Coin Bank                      |                       | D399,634            | US                  |

| US | Ser. No. 29/352,757 | PENDING: Filed 12/24/2009 | THREE HOLE DESIGN   |
|----|---------------------|---------------------------|---|
| US | Ser. No. 29/352,755 | Notice of Allowance       | TWO HOLE AND MINI TWO<br>AND THREE HOLE DESIGN            |
| US | Ser. No. 29/352,752 | PENDING: Filed 12/24/2009 | ONE HOLE DESIGN   |
| US | Ser. No. 29/352,748 | PENDING: Filed 12/24/2009 | NO HOLE DESIGN  |
| US | D510,172            | Registered 10/4/2005      | Design/ Pretzel cracker with two holes                    |
| US | D509,044            | Registered 9/6/2005       | Design/ Pretzel cracker without holes                     |
| US | D499,961            | Registered 12/21/2004     | Design/ Combined Coin<br>Bank and Snack Food<br>container |
| US | D492,084            | Registered 6/22/2004      | Design/Combined Coin<br>Bank and Snack Food<br>container  |

# CHEDULE B

| MARK                              | STATUS  | SER. NO/ REG.                      | COUNTRY       |
|-----------------------------------|---|------------------------------------|---------------|
| IT'S ALL ABOUT THE CRUNCH!        | Registered 11/4/2008  | Reg. No. 3528180<br>77/097,799     | USA           |
| THE WORLD'S FIRST PRETZEL CRACKER | Registered 7/31/2007  | Reg. No. 3273012                   | USA           |
| PRETZEL CRISPS                    | Registered 10/20/2004   | Reg. No. 1026046                   | Australia     |
| PRETZEL CRISPS                    | Registered 05/03/2007   | Reg. No.TMA686,821                 | Canada        |
| THE SNACK FACTORY                 | Registered 4/28/2006  | Reg. No.2406006                    | Great Britain |
| PRETZEL CRISPS (STYLIZED)         | Registered 04/10/2008   | Reg. No.5855614                    | СТМ           |
| THE SNACK FACTORY                 | Registered 08-15-2006   | Reg. No. 3,128,716                 | CS            |
| PRETZEL CRISPS                    | Petition to Cancel filed by Frito-<br>Lay North America, Inc. on<br>9/10/2010, Answer filed on<br>11/10/2009<br>Supplemental 07/26/2005       | Supplemental Reg.<br>No. 2,980,303 | US            |
| PRETZEL CRISPS (STYLIZED)         | Filed 05/29/2007. Pending; Notice of Opposition filed by Frito-Lay North America Inc. on 05/22/2009; Answer to Opposition filed on 06/24/2009 | Ser. no. 77/192,054                | US            |
| PRETZEL CRISPS (STYLIZED)         | Registered 11/14/2008   | Reg. No. 5180084                   | Japan         |

|  | _   |                          |             |
|--|---|--------------------------|-------------|
| Two Hole Pretzel & Bag Design                              | Registered 1/15/2009  | Reg. No. 581678          | Switzerland |
| IRRESISTIBLY CRUNCHY. NATURALLY THIN. DELICIOUSLY GOURMET. | Registered 11/18/2008   | Reg. No. 3,535,211       | US          |
| BAG Design   | Registered 2/24/2009  | Reg. No. 3,579,225       | SU          |
| 3 hole pretzel cracker product<br>configuration trademark  | Filed 06/23/2008. Pending; Notice of Opposition filed by Frito-Lay North America Inc. on 04/20/2009; Answer to Opposition filed on 06/01/2009 | Ser.no.77/505,420        | US          |
| 3 hole cracker design trademark                            | Pending : Affidavit received by<br>Canadian Agent November 11,<br>2010  | Ser. no. 1422554         | CANADA      |
| THE BEST PART OF THE PRETZEL                               | Notice of Allowance 6/22/2010   | 77/885,616<br>12/3/2009  | US          |
| RE-THINK YOUR PRETZEL                                      | Notice of Allowance 6/22/2010   | 77/885,817<br>12/3/2009  | SU          |
| THE BEST OF THE PRETZEL                                    | Notice of Allowance 6/22/2010   | 77/885,828<br>12/3/2009  | SU          |
| PRETZEL CRISPS   | Filed 12/11/2009. Opposition filed by Frito-Lay North America Inc. on July 2, 2010, Answer filed on 8/13/2010                                 | 76/700,802<br>12/11/2009 | US          |

| RETHINK YOUR PRETZEL       | Notice of Allowance 6/22/2010 | 77/896,058<br>12/17/2009 |    |
|----------------------------|-------------------------------|--------------------------|----|
| RETHINK YOUR PRETZEL!      | Notice of Allowance 6/22/2010 | 77/905,977<br>01/06/2010 | US |
| SNACK FACTORY              | Notice of Allowance 6/22/2010 | 77/908,911<br>01/11/2010 | US |
| RETHINK TANK               | Filing In Progress            |                          |    |
| DELIGHT IN A BAG           | Notice of Allowance 6/22/2010 | 77/886,163<br>12/4/2009  | SU |
| TASTE THE NEW TWIST        | Notice of Allowance 6/22/2010 | 77/886,112<br>12/4/2009  | S  |
| NOT YOUR CHILDHOOD PRETZEL | Notice of Allowance 6/22/2010 | 77/885,822<br>12/3/2009  | S  |
| NOT YOUR FATHER'S PRETZEL  | Notice of Allowance 6/22/2010 | 77/885,653<br>12/3/2009  | US |
|                            |                               |                          |    |

# SCHEDULE C

| COPYRIGHT              | STATUS                          | SER. NO/ REG.        |
|------------------------|---------------------------------|----------------------|
|                        |                                 |                      |
| ONE HOLE PRETZEL       |                                 |                      |
| CRACKER                | Registered 1/9/2007             | copyright VA-730-768 |
|                        |                                 |                      |
|                        | Copyright application was filed |                      |
|                        | on 4/10/2008; Rejection dated   |                      |
|                        | 2/23/2009; Response was filed   |                      |
|                        | on May 26, 2009./ No further    |                      |
| 3 Hole pretzel Cracker | instructions received           |                      |
|                        |                                 |                      |

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**RECORDED: 11/18/2010**