TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1 Stylesheet Version v1.2

ETAS ID: TM712730

SUBMISSION TYPE: NEW ASSIGNMENT

NATURE OF CONVEYANCE: Release of Trademark Security Agreement

CONVEYING PARTY DATA

| Name | Formerly | Execution Date | Entity Type |
|-----------------------------------|----------|----------------|----------------------------|
| PNC Bank, National Association | | 03/04/2022 | association: UNITED STATES |

RECEIVING PARTY DATA

| Name: | Cibo Vita Inc |
|-----------------|-------------------------|
| Street Address: | 12 Vreeland Ave |
| City: | Totowa |
| State/Country: | NEW JERSEY |
| Postal Code: | 07512 |
| Entity Type: | Corporation: NEW JERSEY |

PROPERTY NUMBERS Total: 3

| Property Type | Number | Word Mark |
|----------------------|---------|-------------------|
| Registration Number: | 3864151 | WOODPECKER FOODS |
| Registration Number: | 4413144 | NATURE'S GARDEN |
| Registration Number: | 4711996 | CHOCOLATE ORCHARD |

CORRESPONDENCE DATA

Fax Number: 2138918763

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.

Email: rhonda.deleon@lw.com **Correspondent Name:** LATHAM & WATKINS LLP Address Line 1: 355 SOUTH GRAND AVENUE

Address Line 4: LOS ANGELES, CALIFORNIA 90071-1560

| ATTORNEY DOCKET NUMBER: | 061700-0080 |
|-------------------------|-----------------|
| NAME OF SUBMITTER: | Rhonda DeLeon |
| SIGNATURE: | /Rhonda DeLeon/ |
| DATE SIGNED: | 03/08/2022 |

Total Attachments: 4

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RELEASE OF TRADEMARK SECURITY AGREEMENT

THIS RELEASE OF TRADEMARK SECURITY AGREEMENT (this "Release"), dated as of March 4, 2022, is made by **PNC BANK, NATIONAL ASSOCIATION**, as Agent for the benefit of the Lenders ("Agent") to CIBO VITA INC, a New Jersey corporation, ("Grantor") and is as follows:

WHEREAS, Grantor and Agent are parties to that certain Trademark Security Agreement dated as of September 20, 2019, which was recorded with The United States Patent and Trademark Office on September 20, 2019 in its records at Reel 6750, Frame 0935 (the "<u>Trademark Security Agreement</u>"); capitalized terms used but not defined herein will have the meaning given to them in the Trademark Security Agreement;

WHEREAS, pursuant to the Loan Agreement, and as reconfirmed in the Trademark Security Agreement, Grantor pledged, mortgaged and granted to Agent, for the benefit of the Lenders, a security interest in all of Grantor's right, title and interest in and to the Collateral (as defined in the Trademark Security Agreement), including, without limitation, the trademark registrations and trademark applications (the "<u>Trademarks</u>") set forth on Schedule I attached hereto, and the goodwill of the business symbolized by the Trademarks and the applications and registrations thereof, and all proceeds thereof, including, without limitation, any and all causes of action which may exist by reason of infringement thereof and any and all damages arising from the past, present and future violations thereof; and

WHEREAS, Agent desires to release its rights and security interests in the Collateral.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Agent hereby fully and finally releases and terminates (i) its security interest and other rights, title and interest, if any, in, to and under the Collateral, including without limitation the Trademarks, and (ii) any and all other rights it may have under the Trademark Security Agreement.

This Release shall be governed by, and construed in accordance with, the laws of the State of New York.

This Release may be executed in counterparts (and by different parties hereto on different counterparts), each of which shall constitute an original, but all of which when taken together shall constitute a single agreement.

[Signature Page Follows]

IN WITNESS WHEREOF, Agent has caused this Release to be duly executed as of the day and year first above written.

PNC BANK, NATIONAL ASSOCIATION, as Agent

Name

Title:

Biana Musiyenko Senior Vice President

SIGNATURE PAGE TO RELEASE OF TRADEMARK SECURITY AGREEMENT (Cibo Vita Inc.)

ACCEPTED AND AGREED:

CIBO VITA INC

Name: Herb Rueisch

Title: Chief Financial Officer

SIGNATURE PAGE TO RELEASE OF TRADEMARK SECURITY AGREEMENT (Cibo Vita Inc)

SCHEDULE I Registered Trademarks

| Loan Party Name | Title | Registration Number | Registration Date |
|-----------------|-------------------|------------------------|----------------------|
| CIBO VITA, INC. | WOODPECKER | 3864151 | 10/19/2010 |
| CIBO VITA, INC. | _Nature & Garden_ | 4413144 | 10/08/2013 |
| CIBO VITA, INC. | CHOCOLATE ORCHARD | 4711996 | 03/31/2015 |

Schedule I

RECORDED: 03/08/2022