

PATENT ASSIGNMENT COVER SHEET

Electronic Version v1.1
 Stylesheet Version v1.2

EPAS ID: PAT5422424

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	RELEASE OF SECURITY INTEREST

CONVEYING PARTY DATA

Name	Execution Date
THE BANK OF NEW YORK MELLON AS THIRD LIEN AGENT	02/22/2019

RECEIVING PARTY DATA

Name:	DJO, LLC
Street Address:	1430 DECISION STREET
City:	VISTA
State/Country:	CALIFORNIA
Postal Code:	92081
Name:	ENCORE MEDICAL, L.P.
Street Address:	1430 DECISION STREET
City:	VISTA
State/Country:	CALIFORNIA
Postal Code:	92081
Name:	EMPI, INC.
Street Address:	1430 DECISION STREET
City:	VISTA
State/Country:	CALIFORNIA
Postal Code:	92081

PROPERTY NUMBERS Total: 19

Property Type	Number
Patent Number:	10071237
Patent Number:	10071251
Application Number:	15525550
Application Number:	15599233
Application Number:	15611693
Application Number:	15612236
Application Number:	15614245
Application Number:	15629448
Patent Number:	9943683
Application Number:	15681177

PATENT

Property Type	Number
Application Number:	15699903
Application Number:	15793843
Application Number:	15851404
Application Number:	15863589
Application Number:	15864973
Application Number:	15874091
Application Number:	15804087
Application Number:	15707736
Application Number:	15611514

CORRESPONDENCE DATA

Fax Number: (301)762-4056

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.

Phone: 301-424-3640

Email: epatent@usiplaw.com

Correspondent Name: EDELL, SHAPIRO & FINNAN, LLC

Address Line 1: 9801 WASHINGTONIAN BLVD.

Address Line 2: SUITE 750

Address Line 4: GAITHERSBURG, MARYLAND 20878

ATTORNEY DOCKET NUMBER:	1470.0009M
NAME OF SUBMITTER:	HOWARD R. RICHMAN
SIGNATURE:	/Howard R. Richman/
DATE SIGNED:	03/14/2019

Total Attachments: 14

source=BNY_Executed_IP_Release_Third_Lien#page1.tif
source=BNY_Executed_IP_Release_Third_Lien#page2.tif
source=BNY_Executed_IP_Release_Third_Lien#page3.tif
source=BNY_Executed_IP_Release_Third_Lien#page4.tif
source=BNY_Executed_IP_Release_Third_Lien#page5.tif
source=BNY_Executed_IP_Release_Third_Lien#page6.tif
source=BNY_Executed_IP_Release_Third_Lien#page7.tif
source=BNY_Executed_IP_Release_Third_Lien#page8.tif
source=BNY_Executed_IP_Release_Third_Lien#page9.tif
source=BNY_Executed_IP_Release_Third_Lien#page10.tif
source=BNY_Executed_IP_Release_Third_Lien#page11.tif
source=BNY_Executed_IP_Release_Third_Lien#page12.tif
source=BNY_Executed_IP_Release_Third_Lien#page13.tif
source=BNY_Executed_IP_Release_Third_Lien#page14.tif

RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY (Third Lien)

This **RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY** (the "Release") is made as of February 22, 2019, by **THE BANK OF NEW YORK MELLON** as third lien agent (in such capacity, the "Third Lien Agent"), in favor of DJO, LLC, DJO Consumer, LLC, Encore Medical, L.P., Elastic Therapy, LLC, Rikco International, LLC, Encore Medical Asset Corporation, and Empi, Inc. (collectively, the "Grantors").

Reference is made hereby to (i) the Indenture, dated as of May 7, 2015 (the "Third Lien Indenture"), among DJO Finance LLC, as issuer (the "Company"), DJO Finance Corporation, as co-issuer (the "Co-Issuer" and, together with the Company, the "Issuers"), the Guarantors party thereto and The Bank of New York Mellon, as Trustee (in such capacity, the "Third Lien Trustee") and Third Lien Agent, and (ii) the Third Lien Security Agreement, dated as of May 7, 2015 (the "Third Lien Security Agreement"), among the Issuers, the grantors from time to time party thereto, and the Third Lien Agent.

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Third Lien Agent, on behalf of itself and the Third Lien Secured Parties (as defined in the Indenture), does hereby agree as follows:

1. The Third Lien Agent, without recourse, representation or warranty of any kind, hereby (a) terminates any security agreement to which it is a party as listed in Schedule A attached hereto, (b) releases, relinquishes, terminates and discharges the liens on property identified on Schedule A (including, without limitation, any liens on property in connection with any security documents listed on Schedule A attached hereto and (c) reassigns to the Grantors any and all right, title and interest of any nature whatsoever which it may hold in or to any of the copyrights, trademarks or patents (including, without limitation, the copyrights, trademarks and patents identified on Schedule A attached hereto), associated common law rights and goodwill appurtenant thereto, and reassigns to the Grantors any and all rights to sue for and collect damages for past infringements, in each case to the extent granted under the security agreements listed in Schedule A attached hereto.
2. The Third Lien Agent authorizes the Register of Copyrights, the Commissioner of Trademarks, the Commissioner of Patents, each as applicable, and any other applicable governmental authority to record this Release.
3. At the reasonable request and sole expense of the Grantors, the Third Lien Agent, on behalf of itself and the Third Lien Secured Parties, agrees to execute, acknowledge and deliver all such further instruments delivered to it and requested of it by the Grantors necessary to carry out the purposes of this Release.

[Signature page follows]

IN TESTIMONY WHEREOF, the Third Lien Agent has executed this Release by its proper officers thereunto duly authorized.

THE BANK OF NEW YORK MELLON, as Third
Lien Agent

By: 
Name: Mary Miselis
Title: Vice President

Schedule A

Trademarks - Security Agreements

1. The Third Lien Trademark Security Agreement, dated as of March 30, 2018, by DJO, LLC, DJO Consumer, LLC and Encore Medical, L.P. in favor of The Bank of New York Mellon in its capacity as the Third Lien Agent, recorded in the U.S. Patent and Trademark Office (USPTO) at USPTO Reel/Frame No. 6304/0455, and including:

Serial No.	Registration No.
73026352	1012936
73446066	1302476
73480563	1325589
73641513	1454091
74222161	1859136
74508353	1930808
74509311	1930818
74553401	1989073
74631809	2012690
74722305	1987244
75000429	2074441
75169418	2087777
75411770	2478300
75823047	2393452
76105454	2565088
76251806	3178848
78804128	4000422
85955701	4642015
86214212	4673028
87402923	5316740
87484301	5531497
87484310	None
87500130	None
87673376	5491743
87691861	None
87691876	None
87691888	None
87772936	5591914
87772955	None

87774334	5597553
87786474	None
87794053	None
87794090	None
87844238	None

2. The Third Lien Trademark Security Agreement, dated as of April 28, 2017, by DJO, LLC, DJO Consumer, LLC and Encore Medical, L.P. in favor of The Bank of New York Mellon in its capacity as the Third Lien Agent, recorded in the U.S. Patent and Trademark Office (USPTO) at USPTO Reel/Frame No. 6061/0724, and including:

Serial No.	Registration No.
86963815	None
87034713	5192874
87036333	5387442
87036360	5272322
87088041	5297687
87091267	5297714
87091625	None
87143779	5180395
87165307	5424294
87171567	5151314
87172951	5146803
87175598	5487307
87242379	None
87251919	None
87277245	5424564
87338895	5285228
87346044	5337165
87355061	None
87355079	5286210
87355090	5286212
87355097	5286213
87355105	5286215
87356784	5361379

3. The Third Lien Trademark Security Agreement, dated as of April 12, 2016, by DJO, LLC, DJO Consumer LLC and Encore Medical, L.P. in favor of The Bank of New York Mellon in its capacity as the Third Lien Agent, recorded in the U.S. Patent and Trademark Office (USPTO) at USPTO Reel/Frame No. 5771/0503, and including:

Serial No.	Registration No.
86548968	4984470
86594246	4862686
86594302	4967435
86604812	4851358
86606710	4851361
86647876	4881162
86647909	4881163
86658386	5055619
86661052	5147368
86699800	5065412
86704416	5151976
86708982	5060666
86708984	5324314
86722619	4913725
86722899	4913726
86752901	5286865
86761741	5157062
86761794	5142678
86762791	4951074
86764516	None
86776988	None
86792525	5196455
86850873	5044251
86851090	5044255
86893632	None
86893634	None
86911222	5036557
86911225	5177876
86911248	5177877
86937433	5116012
86947817	None
86949271	None

4. The Third Lien Trademark Security Agreement, dated as of May 7, 2015, by DJO, LLC, Elastic Therapy, LLC, Rikco International, LLC, Encore Medical Asset Corporation, Encore Medical, L.P. and Empi, Inc. in favor of The Bank of New York Mellon in its capacity as the Third Lien Agent, recorded in the U.S. Patent and Trademark Office (USPTO) at USPTO Reel/Frame No. 5518/0424, and including:

Serial No.	Registration No.
71622428	574604
72041237	675045
72274185	871377
73071487	1041693
73362133	1300398
73395693	1292025
73395696	1292027
73487708	1331886
73487814	1360375
73506306	1361658
73564211	1464456
73587292	1416508
73604100	1453097
73660910	1551788
73823894	1639644
74045078	1668974
74182601	1794821
74200682	1738987
74222162	1742238
74232781	1800283
74243470	1780820
74245856	1855133
74279531	1825788
74311343	1851920
74311346	1902144
74313608	1819447
74339671	1839006
74348533	1790265
74350896	1852311
74418674	1835337
74492203	1986484
74521232	1944691
74542117	1965975
74546722	1951954

74563136	2053127
75024503	2008623
75024506	2008624
75036378	2056350
75103759	2096059
75103865	2102278
75104109	2086595
75108033	2107950
75196766	2107320
75196769	2107321
75199840	2217692
75322354	2196711
75343087	2254314
75388383	2212910
75409372	2438831
75542885	2301852
75663335	2438003
75727296	2742394
75776982	2511545
75830947	2399948
75832005	2379700
76184552	2875200
76328276	2780267
76359819	2696584
76364890	2751177
76413770	2789609
76467293	2750144
76467294	2750145
76481714	2859530
76481715	2750189
76537604	2881069
76633666	3134751
77021796	3271317
77028751	3289552
77028757	3289553
77045345	3284961
77070534	3415193
77078748	3509269
77094249	3423708
77094253	3423709
77096555	3423712

77109138	3333938
77123287	3419432
77636364	3733460
77636382	3650731
77817943	4533787
77892679	3967174
77958865	3888033
77982349	4017675
78130265	2853371
78371515	3069171
78371516	3019787
78400449	3149515
78444328	3083694
78447256	3313469
78467848	3392791
78572798	3067888
78631583	3092891
78729720	3331577
78730190	3308949
78752696	3396074
78752811	3320637
78765863	3270094
78765868	3270095
78792748	3274511
78805159	3165323
78871810	3224822
78875336	3769424
78875341	3769425
78947462	3367206
78966176	3261059
78971081	3291057
78979614	3396586
85202890	4113864
85234762	4218655
85234790	4218656
85234791	4218657
85234796	4218658
85521395	4516909
85724614	4564845
85799913	4526594
85841650	4593702

85947945	4643364
85947948	None
86043408	4735999
86153550	4809342
86197093	4946746
86246410	4749331
86308116	4709661
86389718	4742734
86548968	4984470
86594246	4862686
86594302	4967435
86604812	4851358
86605047	None
86606710	4851361
506531	TMA302284

Patents - Security Agreements

1. The Third Lien Patent Security Agreement, dated as of March 30, 2018, by DJO, LLC, Empi, Inc. and Encore Medical, L.P. in favor of The Bank of New York Mellon in its capacity as the Third Lien Agent, recorded in the U.S. Patent and Trademark Office (USPTO) at USPTO Reel/Frame No. 046388/0531, and including:

<u>US Patent No.</u>	<u>US Patent Application No.</u>
10071237	15476813
10071251	15495532
None	15525550
None	15599233
None	15611693
None	15612236
None	15614245
None	15629448
9943683	15666362
None	15681177
None	15699903
None	15793843
None	15851404

None	15863589
None	15864973
None	15874091
None	15804087
None	15707736
None	15611514

2. The Third Lien Patent Security Agreement, dated as of May 7, 2015, by DJO, LLC, Encore Medical Asset Corporation, Empi, Inc., Encore Medical, L.P. and Rikco International, LLC in favor of The Bank of New York Mellon in its capacity as the Third Lien Agent, recorded in the U.S. Patent and Trademark Office (USPTO) at USPTO Reel/Frame No. 035707/0498, and including:

<u>US Patent No.</u>	<u>US Patent Application No.</u>	<u>US Patent No.</u>	<u>US Patent Application No.</u>	<u>US Patent No.</u>	<u>US Patent Application No.</u>
5413142	8219988	7001384	10389449	9655761	13674613
5865841	8450641	8024033	10587429	8798739	13743569
5931804	8474258	7563236	10663381	8781572	13767514
5578060	8494095	6878126	10669136	9386820	13835830
5674188	8521842	7306605	10676064	9295748	13836660
5653739	8527811	7597656	10695117	9408738	13839737
5697962	8537347	6971997	10715008	9364366	13851725
5725564	8549046	7658720	10726343	8768473	13868587
5843145	8590141	7285103	10753088	9180286	13874681
5645527	8599129	7280873	10782620	9241723	13910694
5741220	8633571	7648472	10880026	9375340	13973676
5733321	8634046	8386029	10907429	None	14066069
5766140	8640489	7128723	10949818	9957062	14081009
5873848	8663913	7967765	10985366	9668889	14123719
5785656	8711336	8043243	11030276	9352151	14144256
5792040	8717648	7615025	11030444	9433505	14181029
5800458	8723518	7499746	11046524	9630013	14191146
5833639	8726249	7942840	11051791	9852262	14197572
6506174	8817444	7261700	11094724	9468551	14211097
5980561	8860307	7311687	11098158	None	14245896
5879301	8897999	7591798	11140166	None	14247077
5853381	8900215	7613518	11153225	9522067	14271214
6064911	8907743	7811242	11156943	9044587	14292617
5921946	8955648	7465269	11188943	9468757	14295120
5987359	8956448	7381214	11210613	8977366	14322838

5891185	8966580	8167907	11212079	None	14331217
6044303	8989304	8641654	11243754	None	14341667
5993405	9040207	8591440	11254544	9986772	14484202
6027468	9040839	8597219	11261725	10004627	14612094
6059548	9092451	8517965	11274492	10092439	14612136
6167302	9171234	7749179	11282330	9669212	14615387
6368357	9174498	7637923	11328805	9220896	14617536
6198970	9236829	8226585	11338164	9757265	14617870
6327496	9351782	8140165	11343245	None	14627842
6104958	9357173	7959591	11376652	10143580	14627865
6171273	9369921	7860575	11429747	D379855	29044563
6421885	9397418	7744551	11493152	D392741	29055685
6324432	9431080	7749181	11495488	D415254	29089044
6221032	9436639	7384406	11510408	D437014	29106620
6221033	9437172	7867183	11529743	D451603	29124975
6267735	9437173	7544174	11540925	D481460	29134095
6217532	9437174	9084879	11586809	D495420	29188980
6687536	9458239	8788031	11586818	D510626	29189148
6406450	9490479	7517329	11602552	D532523	29189169
6235031	9497530	7534217	11675014	D505727	29189220
6464728	9505876	8620438	11706455	D500140	29189259
6527733	9510397	7996077	11733692	D527108	29191679
6296666	9524386	8214030	11733700	D503807	29192462
6477411	9587006	7722555	11768868	D536450	29192463
6238360	9589894	8019426	11879221	D497462	29192464
6463934	9592229	8965535	11879231	D513615	29192465
6436058	9594426	8958883	11918761	D511008	29192466
6383156	9608940	8062242	12001794	D506260	29192467
6331169	9649936	8303527	12013449	D503481	29192468
6352550	9659852	7918809	12135802	D519211	29196058
6468240	9756100	8496570	12270708	D515218	29197939
6731977	9766767	8386032	12276068	D500855	29198571
6546284	9769657	8819879	12291606	D503806	29201638
6488428	9781538	8083705	12319320	D504953	29211375
6336909	9825787	8452409	12319539	D505726	29211376
6731987	9831318	None	12321691	D504726	29211377
6551317	9876345	8419669	12378121	D508998	29211436
6623439	9945115	7846115	12421997	D544604	29234200
6425166	9945120	8795212	12537418	D552743	29239850
6890314	9945377	8480677	12707238	D552744	29239906
6953446	9960833	8147438	12828763	D536796	29241601

6821261	10020319	8409123	12879818	D583478	29256873
6790234	10038210	9147046	13096403	D542121	29258461
7189214	10054631	8591444	13169863	D636493	29312758
7137965	10054713	8131374	13204022	D642281	29328333
6752775	10074520	None	13204077	D645822	29328334
6755798	10074960	8447393	13204113	D645826	29328335
6823202	10113955	8951217	13217083	D625501	29353446
6679916	10134299	None	13239228	D625093	29353455
7097627	10141494	8565888	13354736	D663850	29368155
7235058	10242372	9808619	13371161	D663851	29368156
6974483	10272208	None	13418197	D665088	29368158
7254444	10273392	9211400	13446832	D666302	29408206
6860852	10281090	9492303	13473531	D666301	29408207
7192407	10355486	9061148	13570004	D664259	29408209
7083586	10357523	None	13631424	D663852	29408211
7156818	10357990	9561128	13661911	D687556	29413336
7039468	10375407	7306572	10379517	None	61701475
None	61792129	5865841	90011020	5980561	90011076
None	61358771	None	61935296	None	61877397
None	62039716	None	62045469	None	62056814
None	62139609	None	62140270	None	12181272
None	12436089	None	12710252	None	12711188
None	61155138	None	16677779	None	61678426
None	61935755	None	61935756	None	61508874
None	CA2848370	None	61538015	None	61658756
None	61771636	None	61790863	None	61806773
None	61935230	None	61906709	None.	61972094
None	61972083	None	61173479	8083705	12319320
None	61952094	None	13681416	None	13865919
None	14042352	None	14187183	None	13451522
None	13924393	None	62062706	None	13910694

3. The Third Lien Patent Security Agreement, dated as of April 28, 2017, by DJO, LLC, Empi, Inc., DJO Consumer, LLC, Encore Medical, L.P. and Rikco International, LLC in favor of The Bank of New York Mellon in its capacity as the Third Lien Agent, recorded in the U.S. Patent and Trademark Office (USPTO) at USPTO Reel/Frame No. 042488/0915, and including:

<u>US Patent No.</u>	<u>US Patent Application No.</u>
None	15082690
None	15084368
9669211	15165414

9737705	15178468
None	15179806
9974589	15193391
None	15194260
None	15200406
None	15208513
None	15216606
None	15219792
None	15223468
None	15262342
None	15263002
None	15294110
None	15295440
None	15295828
None	15340735
None	15354897
None	15420714
None	15433945
None	62419825
None	62448205
None	29581061
None	62443572

4. The Third Lien Patent Security Agreement, dated as of April 12, 2016, by DJO, LLC, Empi, Inc., Encore Medical, L.P. and DJO Consumer, LLC in favor of The Bank of New York Mellon in its capacity as the Third Lien Agent, recorded in the U.S. Patent and Trademark Office (USPTO) at USPTO Reel/Frame No. 038438/0767, and including:

<u>US Patent No.</u>	<u>US Patent Application No.</u>
9572980	14691507
9242091	14702646
10149766	14715744
9737709	14744335
10166383	14781018
None	14831709
9692685	14834408
9861824	14867765
None	14886458
10130805	14929026
9757553	14935249
None	14940045

9717290	14941421
9381353	14948189
9918853	14970447
D804043	29545450
None	62142371
None	62144824
None	62295826
None	14804117

Copyrights - Security Agreements

- I. The Third Lien Copyright Security Agreement, dated as of May 7, 2015, by Encore Medical Asset Corporation and Encore Medical, L.P. in favor of The Bank of New York Mellon in its capacity as the Third Lien Agent, recorded at the U.S. Copyright Office on 5/15/2015 at V9905D767, and including:

- 012 Balance; Reg. TXu419816.
- 001 Breeze; Reg. TXu419852.
- 002 Screentouch; Reg. TXu419853.
- 003 EMG retractor; Reg. TX5407924.
- 004 Iomed website; Reg. TX5169720.
- 013 Iomed website; Reg. VA1033474.
- 006 Iomed website, general site; Reg. TX5166254.
- 007 Iomed website, general site; Reg. VA1035179.
- 008 Iomed website, research & development; Reg. TX5154796.
- 009 Iomed website, research & development; Reg. VA1033207.
- 010 Iomed website; Reg. TX5642351.
- 011 Iomed website; Reg. VA1169495.
- 005 850 instruction guide; Reg. TX5589148.