# OP \$165.00 177864

### TRADEMARK ASSIGNMENT

# Electronic Version v1.1 Stylesheet Version v1.1

SUBMISSION TYPE: NEW ASSIGNMENT

NATURE OF CONVEYANCE: Release of Security Interest in Trademarks

# **CONVEYING PARTY DATA**

| Name   | Formerly | Execution Date | Entity Type                              |
|--|----------|----------------|--|
| Deutsche Bank Trust Company<br>Americas, as collateral agent |          | 106/16/2010 I  | Federal Reserve<br>Member: UNITED STATES |

### **RECEIVING PARTY DATA**

| Name:             | BWAY Corporation      |  |
|-------------------|-----------------------|--|
| Street Address:   | 8607 Roberts Drive    |  |
| Internal Address: | Suite 250             |  |
| City:             | Atlanta               |  |
| State/Country:    | GEORGIA               |  |
| Postal Code:      | 30350-2230            |  |
| Entity Type:      | CORPORATION: DELAWARE |  |

### PROPERTY NUMBERS Total: 6

| Property Type        | Number  | Word Mark |
|----------------------|---------|-----------|
| Registration Number: | 1778648 | МОПОТОР   |
| Registration Number: | 2200098 | BWAY      |
| Registration Number: | 2753054 | MONOTOP   |
| Registration Number: | 2968544 | ARMLOK II |
| Registration Number: | 1713532 | PLASTITE  |
| Registration Number: | 2990629 | ULTIMITE  |

### **CORRESPONDENCE DATA**

Fax Number: (212)354-8113

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

Phone: 2128198200

Email: fcutajar@whitecase.com

Correspondent Name: White & Case LLP

Address Line 1: 1155 Avenue of the Americas Address Line 2: Patents & Trademarks

TRADEMARK 900164846 REEL: 004226 FRAME: 0094

| Address Line 4: New York, NEW YORK 10036  |                      |  |
|---|----------------------|--|
| ATTORNEY DOCKET NUMBER:   | 1104031-0346         |  |
| NAME OF SUBMITTER:  | Frances B. Cutajar   |  |
| Signature:  | /Frances B. Cutajar/ |  |
| Date:   | 06/16/2010           |  |
| Total Attachments: 3 source=DBBWAYTMReleaseToBWAYCorp source=DBBWAYTMReleaseToBWAYCorp source=DBBWAYTMReleaseToBWAYCorp | oration#page2.tif    |  |

TRADEMARK REEL: 004226 FRAME: 0095

### RELEASE OF SECURITY INTEREST IN TRADEMARKS

THIS RELEASE OF SECURITY INTEREST IN TRADEMARKS (this "Release") is made as of June 16, 2010 ("Effective Date") by Deutsche Bank Trust Company Americas, a Federal Reserve Member, as Collateral Agent, with an office at 60 Wall Street, New York, New York 10005 ("Grantee"), in favor of BWAY Corporation, a Delaware corporation, with an office at 8607 Roberts Drive, Suite 250, Atlanta, Georgia 30350-2230 ("Grantor").

WHEREAS, pursuant to those certain Grants of Security Interest in United States Trademarks by and between Grantor and Grantee dated July 14, 2006 (the "2006 Trademark Security Interest") and October 23, 2009 (the "2009 Trademark Security Interest"; and, together with the 2006 Trademark Security Interest, the "Trademark Security Interests"), Grantor granted to Grantee a security interest in (i) all of 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 U.S. 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 (collectively, the "Trademark Collateral");

WHEREAS, Grantor and Grantee entered into the Trademark Security Interests pursuant to that certain U.S. Security Agreement by and among Grantor, the other assignors from time to time party thereto, and Grantee dated July 17, 2006 (as amended, modified, restated and/or supplemented from time to time, the "U.S. Security Agreement");

WHEREAS, the 2006 Trademark Security Interest was recorded with the United States Patent and Trademark Office on September 5, 2006 at Reel/Frame 3385/0983, and the 2009 Trademark Security Interest was recorded on October 27, 2009 at Reel/Frame 4085/0761; and

WHEREAS, Grantor has paid all of its outstanding indebtedness to Grantee.

**NOW, THEREFORE,** for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantee hereby terminates the Trademark Security Interests and the U.S. Security Agreement, and hereby terminates, cancels and releases any and all security interests it has against the Trademark Collateral thereunder.

Grantee shall take all further actions, and provide to Grantor, its successors, assigns or other legal representatives, all such cooperation and assistance (including, without limitation, the execution and delivery of any and all documents or other instruments) requested by Grantor to more fully and effectively effectuate the purposes of this Release.

\* \* \* \* \*

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IN WITNESS WHEREOF, Grantee has caused this Release to be executed by its duly authorized representative as of the Effective Date.

DEUTSCHE BANK TRUST COMPANY AMERICAS, as Collateral Agent

Name:

Title:

Erin Morrissey Vice President

Name:

Title:

Director

# SCHEDULE A

# U.S. TRADEMARKS, TRADEMARK REGISTRATIONS AND TRADEMARK APPLICATIONS

| Trademark No. | Registration Date           | Mark                   |
|---------------|-----------------------------|------------------------|
| 2006          | Frademark Security Interest | (Reel/Frame 3385/0983) |
| 1778648       | 6/29/1993                   | MONOTOP                |
| 2200098       | 10/27/1998                  | BWAY                   |
| 2753054       | 8/19/2003                   | MONOTOP                |
| 2968544       | 7/12/2005                   | ARMLOK II              |
| 2009          | Frademark Security Interest | (Reel/Frame 4085/0761) |
| 1713532       | 9/8/1992                    | PLASTITE               |
| 2990629       | 8/30/2005                   | ULTIMITE               |

**RECORDED: 06/16/2010** 

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