

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT														
NATURE OF CONVEYANCE:	Termination of Patent and Trademark Security Agreement previously recorded at Reel 4184 Frame 0099														
CONVEYING PARTY DATA															
<table border="1"> <thead> <tr> <th>Name</th> <th>Formerly</th> <th>Execution Date</th> <th>Entity Type</th> </tr> </thead> <tbody> <tr> <td>Bank of America, N.A.</td> <td></td> <td>12/21/2012</td> <td>National Association: UNITED STATES</td> </tr> </tbody> </table>				Name	Formerly	Execution Date	Entity Type	Bank of America, N.A.		12/21/2012	National Association: UNITED STATES				
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Bank of America, N.A.		12/21/2012	National Association: UNITED STATES												
RECEIVING PARTY DATA															
<table border="1"> <tr> <td>Name:</td> <td>Bay Club Peninsula, LLC</td> </tr> <tr> <td>Street Address:</td> <td>One Lombard Street</td> </tr> <tr> <td>City:</td> <td>San Francisco</td> </tr> <tr> <td>State/Country:</td> <td>CALIFORNIA</td> </tr> <tr> <td>Postal Code:</td> <td>94111</td> </tr> <tr> <td>Entity Type:</td> <td>LIMITED LIABILITY COMPANY: DELAWARE</td> </tr> </table>				Name:	Bay Club Peninsula, LLC	Street Address:	One Lombard Street	City:	San Francisco	State/Country:	CALIFORNIA	Postal Code:	94111	Entity Type:	LIMITED LIABILITY COMPANY: DELAWARE
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PROPERTY NUMBERS Total: 1															
<table border="1"> <thead> <tr> <th>Property Type</th> <th>Number</th> <th>Word Mark</th> </tr> </thead> <tbody> <tr> <td>Registration Number:</td> <td>3899033</td> <td></td> </tr> </tbody> </table>				Property Type	Number	Word Mark	Registration Number:	3899033							
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CORRESPONDENCE DATA															
<p>Fax Number: 3128622200 <i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i></p> <p>Phone: 312-862-2000 Email: dgasiorowski@kirkland.com Correspondent Name: Kirkland & Ellis LLP Address Line 1: 300 N. LaSalle Street Address Line 2: c/o Donna Gasiorowski, Sr. Legal Asst Address Line 4: Chicago, ILLINOIS 60654</p>															
ATTORNEY DOCKET NUMBER:	14254-3 DRG														
NAME OF SUBMITTER:	Donna Gasiorowski														

Signature:	/Donna Gasiorowski/
Date:	12/26/2012
Total Attachments: 3 source=USPTO Release - Bay Club Supplemental Security Agreement#page1.tif source=USPTO Release - Bay Club Supplemental Security Agreement#page2.tif source=USPTO Release - Bay Club Supplemental Security Agreement#page3.tif	

TERMINATION OF PATENT AND TRADEMARK SECURITY AGREEMENT

This Termination of Patent and Trademark Security Agreement (this Termination"), dated as of December 21, 2012, is executed by Bank of America, N.A. (the "Secured Party") in favor of Bay Club Peninsula, LLC, a Delaware limited liability company (the "Company").

RECITALS WHEREAS, Bay Club Peninsula, Inc. a California corporation, ("Original Owner") and Secured Party entered in that certain Amended and Restated Credit Agreement, dated as of September 30, 2008 (the "Credit Agreement"); and

WHEREAS, in connection with the Credit Agreement Original Owner and Secured Party entered into that certain Patent and Trademark Security Agreement dated as of September 30, 2008 (the "Security Agreement");

WHEREAS, pursuant to Section 3 of the Security Agreement, Original Owner made and delivered that certain Supplement to Patent and Trademark Security Agreement, dated March 25, 2010 (the "Supplemental Security Agreement"), thereby amending and restating Schedule B to the Security Agreement; and

WHEREAS, pursuant to the Security Agreement, Original Owner granted to Secured Party a security interest in certain "Collateral" including certain patents and trademarks; and

WHEREAS, pursuant to an Agreement and Plan of Merger Original Owner merged with and into Company, and executed a Trademark Assignment, dated as of December 31, 2009, whereby Original Owner assigned to Company all of Original Owner's rights, title and interest in and to the trademarks and trademark applications set for in the Security Agreement; which Trademark Assignment was recorded with the United States Patent and Trademark Office (the "PTO") on January 6, 2010, at Reel/Frame 004125/0768; and

WHEREAS, the Credit Agreement and the Security Agreement have been terminated.

NOW, THEREFORE, Secured Party agrees as follows:

1. Secured Party is executing and delivering this Termination as further evidence of the termination of the Security Agreement and Supplemental Security Agreement.
2. Secured Party claims no right, title or interest whatsoever in or to any of the "Collateral" described in the Security Agreement, and, accordingly, Secured Party expressly terminates its security interest in the patents and trademarks listed on Exhibit A hereto, which security interest was evidenced by the recordation of the Supplemental Security Agreement with the PTO on April 12, 2010, at Reel/Frame 004184/0099.

[Signature page follows]

IN WITNESS WHEREOF, this Termination is executed as of the first date written above.

BANK OF AMERICA, N.A.

By: _____

Name:
Title:

Tiffany Shin

Address:

BANK OF AMERICA, N.A.

Fifth Avenue Plaza

800 5th Avenue

Seattle, WA 98104-3716

Mail Code: WA1-50117-32

Attention: Tiffany Shin

Facsimile: (415) 343-0561

Electronic Mail: Tiffany.Shin@baml.com

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sf-2931393

TRADEMARK
REEL: 004928 FRAME: 0641

Exhibit A

to Termination of Patent and Trademark Security Agreement

Bay Club Peninsula, LLC

Issued U.S. Patents

<u>Patent No.</u>	<u>Issue Date</u>	<u>Inventor</u>	<u>Title</u>
None			

Pending U.S. Patent Applications

<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor</u>	<u>Title</u>
None			

U.S. Trademarks

<u>Registration No.</u>	<u>Registration Date</u>	<u>Registered Owner</u>	<u>Mark</u>
3899033	January 4, 2011	Bay Club Peninsula, LLC	Waves Design

Pending U.S. Trademark Applications of the Grantor

<u>Application No.</u>	<u>Filing Date</u>	<u>Applicant</u>	<u>Mark</u>
None			