### 900275868 12/30/2013

### TRADEMARK ASSIGNMENT

Electronic Version v1.1 Stylesheet Version v1.1

SUBMISSION TYPE:

**NEW ASSIGNMENT** 

NATURE OF CONVEYANCE:

RELEASE BY SECURED PARTY

#### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
BANK OF AMERICA, N.A.		12/30/2013	national banking association: NORTH CAROLINA

#### **RECEIVING PARTY DATA**

Name:	PCI GAMING AUTHORITY		
Street Address:	303 Poarch Road		
Internal Address:	Attn: Chariman		
City:	Atmore		
State/Country:	ALABAMA		
Postal Code:	36502 of POARCH BAND of CREEK INDIANS		
Entity Type:	tribal instrumentality. UNKNOWN A Abam 4		

## PROPERTY NUMBERS Total: 5

Property Type	Number	Word Mark	
Registration Number:	3784811	SURVIVOR GUY	
Registration Number:	3643523	WIND CREEK CASINO & HOTEL	
Registration Number:	3643524	THERE'S SOMETHING IN THE WIND	
Registration Number:	4161452	CREEK ENTERTAINMENT	
Registration Number:	4161444	ESCAPE AT WIND CREEK	

#### **CORRESPONDENCE DATA**

Fax Number:

2134432926

Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent

via US Mail.

Phone:

213-617-5493

Email:

jcravitz@sheppardmullin.com

Correspondent Name:

Sheppard, Mullin, Richter & Hampton LLP

Address Line 1:

333 S. Hope St., 48th Floor

TRADEMARK REEL: 005186 FRAME: 0174

E440 00 3784844

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Address Line 2: Attn: J. Cravitz Address Line 4: Los Angeles, CALIFORNIA 90071					
ATTORNEY DOCKET NUMBER:	0BN1-176837				
NAME OF SUBMITTER:	Julie Cravitz				
Signature:	/julie cravitz/				
Date:	12/30/2013				
Total Attachments: 3 source=Trademark Release#page1.tif source=Trademark Release#page2.tif source=Trademark Release#page3.tif					

## RELEASE OF SECURITY INTEREST IN TRADEMARKS

Dated as of December 30, 2013

PCI GAMING AUTHORITY, an unincorporated, chartered instrumentality of the Poarch Band of Creek Indians, a federal recognized Indian tribe ("Grantor"), executed a Security Agreement dated as of July 31, 2012 in favor of BANK OF AMERICA, N.A. ("Bank") (as amended from time to time, the "Agreement").

Pursuant to the Agreement, Grantor granted to Bank a security interest in and to all of Grantor's right, title and interest in and to certain trademarks, service marks and trade names, and all applications therefor, including, without limitation, those specific registered trademarks, service marks, and/or applications listed on <a href="Exhibit A">Exhibit A</a> attached hereto (the "Released Marks"), and the goodwill associated therewith. The Agreement was duly recorded on August 2, 2012, at Trademark Reel/Frame 4834/0526 in the United States Patent and Trademark Office.

Bank wishes to release and retransfer to Grantor, without representation or warranty, all of Bank's right, title and interest in and to the Released Marks, and the goodwill associated therewith.

For good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, Bank, on behalf of itself, its successors, legal representatives and assigns, hereby releases and discharges fully its security interest in and to the Released Marks, and retransfers to Grantor, without representation or warranty of any kind, express or implied, free and clear of any claims by Bank, all of Bank's right, title and interest in and to the Released Marks, the goodwill associated therewith, and all causes of action for past infringement, if any.

SMRH.201240309.1 -1-

IN WITNESS WHEREOF, Bank has executed this Release of Security Interest in Trademarks as of the date first written above.

BANK OF AMERICA, N.A., as Bank

By: Day Shame: Donald Schulke

Title: Senior Vice-President

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# **EXHIBIT A**

## TRADEMARKS

Mark	Owner	Status	Reg. Date	Reg. No.
SURVIVOR GUY	Poarch Band of Creek Indians d/b/a PCI Gaming Authority	Registered	May 4, 2010	3,784,811
WIND CREEK CASINO & HOTEL	Poarch Band of Creek Indians d/b/a PCI Gaming Authority	Registered	June 23, 2009	3,643,523
THERE'S SOMETHING IN THE WIND	Poarch Band of Creek Indians d/b/a PCI Gaming	Registered	June 23, 2009	3,643,524
CREEK ENTERTAINMENT	Poarch Bank of Creek Indians d/b/a PCI Gaming Authority	Registered	June 19, 2012	4,161,452
ESCAPE AT WIND CREEK	Poarch Bank of Creek Indians d/b/a PCI Gaming Authority	Registered	June, 19, 2012	4,161,444

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**RECORDED: 12/30/2013**