

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM302431

|                              |                          |
|------------------------------|--------------------------|
| <b>SUBMISSION TYPE:</b>      | NEW ASSIGNMENT           |
| <b>NATURE OF CONVEYANCE:</b> | RELEASE BY SECURED PARTY |

## CONVEYING PARTY DATA

| Name  | Formerly | Execution Date | Entity Type           |
|---|----------|----------------|-----------------------|
| American Capital Ltd.<br>(successor by merger to<br>American Capital Financial<br>Services, Inc.) |          | 04/18/2014     | CORPORATION: DELAWARE |

## RECEIVING PARTY DATA

|                        |                             |
|------------------------|-----------------------------|
| <b>Name:</b>           | Confluence Holding, Corp.   |
| <b>Street Address:</b> | 575 Mauldin Road, Suite 200 |
| <b>City:</b>           | Greenville                  |
| <b>State/Country:</b>  | SOUTH CAROLINA              |
| <b>Postal Code:</b>    | 29607                       |
| <b>Entity Type:</b>    | CORPORATION: DELAWARE       |

## PROPERTY NUMBERS Total: 24

| Property Type        | Number  | Word Mark          |
|----------------------|---------|--------------------|
| Registration Number: | 2425816 | FORPLAY            |
| Registration Number: | 1478617 | MAD RIVER CANOE    |
| Registration Number: | 1478616 |                    |
| Registration Number: | 2435333 | WAVE SPORT         |
| Registration Number: | 2158103 | WILDERNESS SYSTEMS |
| Registration Number: | 2214870 | WINDRIDER          |
| Registration Number: | 2441741 | WINDRIDER RAVE     |
| Registration Number: | 1317992 | AQUATERRA          |
| Registration Number: | 1678415 | AQUATERRA          |
| Registration Number: | 2151856 | DAGGER             |
| Registration Number: | 2035561 |                    |
| Registration Number: | 1272456 |                    |
| Registration Number: | 1525514 |                    |
| Registration Number: | 2516461 |                    |
| Registration Number: | 2516462 |                    |
| Registration Number: | 2876635 |                    |
| Registration Number: | 2773982 | HARMONY            |
| Registration Number: | 2214393 | MAINSTREAM         |

TRADEMARK

| Property Type        | Number   | Word Mark  |
|----------------------|----------|------------|
| Registration Number: | 1270592  | PERCEPTION |
| Registration Number: | 3115913  | HARMONY    |
| Registration Number: | 2932512  | WAVE SPORT |
| Serial Number:       | 76569787 | WAVE SPORT |
| Serial Number:       | 78225432 | HARMONY    |
| Serial Number:       | 76333983 | HARMONY    |

**CORRESPONDENCE DATA**

Fax Number: 2127358708  
*Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.*  
Phone: (212) 735-8824  
Email: msegui@morrisoncohen.com  
Correspondent Name: Andrew M. Arsiotis  
Address Line 1: 909 Third Avenue  
Address Line 2: c/o Morrison Cohen LLP  
Address Line 4: New York, NEW YORK 10022

|                                |                        |
|--------------------------------|------------------------|
| <b>ATTORNEY DOCKET NUMBER:</b> | 022273-0009(AARSIOTIS) |
| <b>NAME OF SUBMITTER:</b>      | Andrew M. Arsiotis     |
| <b>SIGNATURE:</b>              | /Andrew M. Arsiotis/   |
| <b>DATE SIGNED:</b>            | 04/23/2014             |

**Total Attachments: 4**  
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source=Confluence - Release of Trademark Security Interest#page4.tif

RELEASE OF TRADEMARK SECURITY INTEREST

This RELEASE OF TRADEMARK SECURITY INTEREST (this "Release"), dated as of April 18, 2014, is made by American Capital Ltd. (successor by merger to American Capital Financial Services, Inc.) ("ACAS"), as agent (in such capacity, the "Secured Party") for the Purchasers of the Senior Term B Notes, the Senior Secured Subordinated Notes and the Junior Subordinated Notes identified in the Third Amended and Restated Credit and Note and Equity Purchase Agreement, among Confluence Holdings Corp., a Delaware corporation ("Confluence"), ACAS and the Purchasers party thereto.

WHEREAS, Confluence, CH Holding, Corp. ("Holdings"), Confluence Watersports Canada, Inc. (together with Confluence and Holdings, collectively, the "Grantor"), and the Secured Party entered into a certain Trademark Security Agreement, dated as of May 16, 2005 (the "Trademark Security Agreement");

WHEREAS, pursuant to the Trademark Security Agreement, the Grantor granted to the Secured Party a security interest in certain trademarks and trademark applications owned by the Grantor, including, without limitation, those set forth on Schedule I attached hereto (the "Trademark Collateral"); and

WHEREAS, the Trademark Security Agreement was recorded in the U.S. Patent and Trademark Office on September 13, 2005 at reel 3158, frame 0358.

NOW THEREFORE, the Secured Party hereby release, without representation, recourse or warranty whatsoever, all of its security interests in the Trademark Collateral, whether granted pursuant to the Trademark Security Agreement or any other agreement or document delivered in connection with the Trademark Security Agreement, and the Secured Party hereby reassigns any and all such right, title and interest (if any) that the Secured Party may have in the Trademark Collateral to the Grantor.

The Secured Party agrees, at the Grantor's expense, to cooperate with the Grantor and to provide the Grantor with the information and additional authorization reasonably required or desirable to effect the release of the Secured Party's security interests in the released collateral described herein.

[signature page follows]

IN WITNESS WHEREOF, the Secured Party has executed this Release as of the date first above written.

AMERICAN CAPITAL, LTD., as the  
Secured Party

By: 

Name: *Alexander Gotsu*

Title: *Vice President*

[Signature Page to Release of Trademark Security Agreement]

**TRADEMARK**  
**REEL: 005266 FRAME: 0832**

**Schedule I  
to  
Release of Trademark Security Interest**

**TRADEMARKS REGISTRATIONS**

| <u>Trademark</u>                                | <u>Country</u> | <u>Reg. No.</u> | <u>Reg. Date</u> |
|---|----------------|-----------------|------------------|
| FORPLAY   | USA            | 2,425,816       | 1/30/2001        |
| MAD RIVER CANOE                                 | USA            | 1,478,617       | 3/1/1988         |
| RABBIT LOGO                                     | USA            | 1,478,616       | 3/1/1988         |
| WAVE SPORT                                      | USA            | 2,435,333       | 3/13/2001        |
| WAVE SPORT                                      | Canada         | TMA587556       | 8/20/2003        |
| WAVE SPORT                                      | CTM            | 1847508         | 11/28/2001       |
| WAVE SPORT                                      | Japan          | 4465948         | 4/26/2001        |
| WAVE SPORT                                      | Canada         | 473460          | 3/24/1997        |
| WILDERNESS SYSTEMS                              | CTM            | 2196442         | 5/19/1998        |
| WILDERNESS SYSTEMS                              | Canada         | 2,158,103       | 5/19/1998        |
| WILDERNESS SYSTEMS                              | United States  | 2,158,103       | 5/19/1998        |
| WINDRIDER                                       | United States  | 2,214,870       | 12/29/1998       |
| WINDRIDER RAVE                                  | United States  | 2,441,741       | 4/10/2001        |
| DESIGN ONLY                                     | United States  | 1,478,616       | 3/1/1988         |
| MAD RIVER CANOE                                 | Canada         | TMA387973       | 8/23/1991        |
| RABBIT & DESIGN                                 | Canada         | TMA380439       | 2/22/1991        |
| FIGURATIVE MARK (BM)                            | Germany        | 1172092         | 3/30/1991        |
| MAD RIVER CANOE                                 | Germany        | 1172096         | 3/30/1991        |
| ACQUATERRA                                      | United States  | 1,317,992       | 2/5/1985         |
| ACQUATERRA                                      | United States  | 1,678,415       | 3/10/1992        |
| DAGGER  | United States  | 2,151,856       | 4/21/1998        |
| DESIGN (box with circle,<br>kayak and 2 canoes) | United States  | 2,035,561       | 2/4/1997         |
| DESIGN (kayak and 2<br>canoes)                  | Brazil         | 819,162,140     | 12/15/1998       |
| DESIGN (kayak and 2<br>canoes)                  | United States  | 1,272,456       | 4/3/1984         |
| DESIGN (kayak 2 spoons<br>deck)                 | United States  | 1,525,514       | 2/21/1989        |
| DESIGN (kayak oblong<br>deck)                   | United States  | 2,516,461       | 12/11/2001       |
| DESIGN (kayak slim deck)                        | United States  | 2,516,462       | 12/11/2001       |

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|                               |                |             |            |
|-------------------------------|----------------|-------------|------------|
| DESIGN (kayak with waterline) | United States  | 2,876,635   | 8/24/2004  |
| HARMONY                       | United States  | 2,773,982   | 10/14/2003 |
| MAINSTREAM                    | United States  | 2,214,393   | 12/29/1998 |
| PERCEPTION                    | Brazil         | 819,162,124 | 12/15/1998 |
| PERCEPTION                    | France         | 1,337,412   | 1/9/1986   |
| PERCEPTION                    | Germany        | 1,101,331   | 1/8/1996   |
| PERCEPTION                    | Japan          | 4,562,005   | 4/19/2002  |
| PERCEPTION                    | New Zealand    | 163,112     | 1/9/1986   |
| PERCEPTION                    | United Kingdom | 1,182,144   | 3/22/1982  |
| PERCEPTION                    | United States  | 1,270,592   | 3/20/1984  |
| HARMONY                       | United States  | 3115913     | 7/18/2006  |
| WAVE SPORT                    | United States  | 2932512     | 1/7/2004   |

#### TRADEMARK APPLICATIONS

| <u>Trademark</u> | <u>Country</u> | <u>Serial No.</u> | <u>Filing Date</u> |
|------------------|----------------|-------------------|--------------------|
| WAVE SPORT       | USA            | 76/569787         | 1/7/2004           |
| HARMONY          | USA            | 78/225432         | 3/13/2003          |
| HARMONY          | USA            | 76/333983         | 11/5/2001          |

#### TRADEMARK LICENSES

None