# TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1 Stylesheet Version v1.2 ETAS ID: TM406137

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	Release of security interest recorded at Reel/Frame 4811/0249

#### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Guggenheim Corporate Funding, LLC		11/15/2016	Limited Liability Company: DELAWARE

#### **RECEIVING PARTY DATA**

Name:	Dayton Superior Corporation
Street Address:	1125 Byers Road
City:	Miamisburg
State/Country:	OHIO
Postal Code:	45342
Entity Type:	Corporation: DELAWARE

#### **PROPERTY NUMBERS Total: 13**

Property Type	Number	Word Mark
Registration Number:	3371777	ACCUBRACE
Registration Number:	3368062	ACCUBRACE SHORING, LLC
Registration Number:	3375196	ACCUBRACE SHORING, LLC TOTAL BRACING SYS
Registration Number:	4101544	ARCHI-FOAM
Registration Number:	3918157	BUILDING STRENGTH
Registration Number:	3818797	DP
Registration Number:	1517188	ESCO
Registration Number:	3902152	
Registration Number:	3932738	SLEEVE-LOCK
Registration Number:	2963833	SUPROTEK
Registration Number:	1955413	SUPROTEK
Registration Number:	2886090	UNITEX
Serial Number:	85587994	SYM-PLY

## **CORRESPONDENCE DATA**

Fax Number: 2149813400

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: 214-981-3483 Email: dclark@sidley.com

TRADEMARK

REEL: 005925 FRAME: 0406 900385413

Correspondent Name: Dusan Clark
Address Line 1: Sidley Austin LLP

Address Line 2: 2021 McKinney Ave., Suite 2000

Address Line 4: Dallas, TEXAS 75201

ATTORNEY DOCKET NUMBER:	19932-11740
NAME OF SUBMITTER:	Dusan Clark
SIGNATURE:	/Dusan Clark/
DATE SIGNED:	11/21/2016

# **Total Attachments: 3**

source=Dayton Superior\_ Release of SI in Trademark (June 2012 Grant) (Executed) (2)#page1.tif source=Dayton Superior\_ Release of SI in Trademark (June 2012 Grant) (Executed) (2)#page2.tif source=Dayton Superior\_ Release of SI in Trademark (June 2012 Grant) (Executed) (2)#page3.tif

TRADEMARK REEL: 005925 FRAME: 0407

## RELEASE OF TRADEMARK SECURITY INTEREST

This Release of Trademark Security Interest ("Release") is given on this 15th day of November 2016, by GUGGENHEIM CORPORATE FUNDING, LLC, for itself and as agent (in such capacity, the "Grantee"), to DAYTON SUPERIOR CORPORATION (the "Grantor"), as follows:

WHEREAS, on June 28, 2012, the Grantor and the Grantee entered into an Amended and Restated Pledge and Security Agreement, which required the parties to enter into the Security Agreement (as defined below);

WHEREAS, on June 28, 2012, the Grantor and the Grantee entered into a Trademark Security Agreement ("Security Agreement");

WHEREAS, pursuant to said Security Agreement, the Grantor granted to the Grantee, among other collateral, a continuing security interest in all of the Grantor's right, title and interest, including goodwill, in, to and under its United States trademarks, including but not limited to the trademarks listed on the attached Schedule A, together with all proceeds of such trademarks and all causes of action arising prior to or after the date thereof for infringement of such trademarks or unfair competition regarding the same (the "Trademarks");

WHEREAS, said Security Agreement was recorded in the United States Patent & Trademark Office on June 29, 2012, at reel/frame 4811/0249;

WHEREAS, the Grantor has satisfied the terms of the Amended and Restated Pledge and Security Agreement (including all conditions for release), and the Grantee wishes to release its security interest in the Trademarks, including those listed on Schedule A and retransfer and reassign to the Grantor without recourse all of the Grantee's right, title and interest in and to the Trademarks.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Grantee hereby unconditionally terminates the Security Agreement and releases any security interest, right or other interest it may have in the Trademarks, including those listed on Schedule A, and hereby reassigns any and all right, title and interest it may have in and to the Trademarks without recourse to the Grantor, together with the goodwill of the business symbolized thereby.

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TRADEMARK REEL: 005925 FRAME: 0408 IN WITNESS WHEREOF, the Grantee has caused this Release to be executed by its duly authorized officer.

GUGGENHEIM CORPORATE FUNDING,

LLC, as Grantee

By:

Name: Kevin M. Robinson

Title: Attorney-in-Fact

TRADEMARK REEL: 005925 FRAME: 0409

## Schedule A

# Trademark Security Interest recorded at

# **Reel 4811 Frame 0249**

#### A. REGISTERED TRADEMARKS

Record Owner	<u>Mark</u>	Registration No.	Country
Dayton Superior Corporation	ACCUBRACE	3371777	U.S.
Dayton Superior Corporation	ACCUBRACE SHORING, LLC	3368062	U.S.
Dayton Superior Corporation	ACCUBRACE SHORING, LLC TOTAL	3375196	U.S.
	BRACING SYSTEMS and Design		
Dayton Superior Corporation	ARCHI-FOAM	4101544	U.S.
Dayton Superior Corporation	BUILDING STRENGTH	3918157	U.S.
Dayton Superior Corporation	DP	3818797	U.S.
Dayton Superior Corporation	ESCO	1517188	U.S.
Dayton Superior Corporation	Design Only (HEXAGON LOGO)	3902152	U.S.
Dayton Superior Corporation	SLEEVE-LOCK	3932738	U.S.
Dayton Superior Corporation	SUPROTEK	2963833	U.S.
Dayton Superior Corporation	SUPROTEK	1955413	U.S.
Dayton Superior Corporation	UNITEX	4043722	U.S.

# B. TRADEMARK APPLICATIONS

Record Owner	<u>Mark</u>	Registration No.	Country
Dayton Superior Corporation	SYM-PLY	85/587994	U.S.

TRADEMARK REEL: 005925 FRAME: 0410

**RECORDED: 11/21/2016**