# CH \$215.00 30608

# TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1 Stylesheet Version v1.2 ETAS ID: TM451042

SUBMISSION TYPE:	NEW ASSIGNMENT	
NATURE OF CONVEYANCE:	RELEASE OF SECURITY INTEREST	

# **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Cantor Fitzgerald Securities, as collateral agent		11/15/2017	GENERAL PARTNERSHIP: NEW YORK

# **RECEIVING PARTY DATA**

Name:	Chassix, Inc.
Street Address:	300 Galleria Officentre, Suite 501
City:	Southfield
State/Country:	MICHIGAN
Postal Code:	48034
Entity Type:	Corporation: DELAWARE
Name:	Concord International, Inc.
Street Address:	300 Galleria Officentre, Suite 501
City:	Southfield
State/Country:	MICHIGAN
Postal Code:	48034
Entity Type:	Corporation: DELAWARE
Name:	Diversified Machine, Inc., as the successor in interest to the trademark rights of DMI Edon LLC
Street Address:	300 Galleria Officentre, Suite 501
City:	Southfield
State/Country:	MICHIGAN
Postal Code:	48034
Entity Type:	Corporation: DELAWARE

# **PROPERTY NUMBERS Total: 8**

Property Type	Number	Word Mark	
Registration Number:	3060849	DYNATURN	
Registration Number:	5091351	ALUTECH	
Registration Number:	4886158	ALUTECH	
Registration Number:	4905276	SMW AUTOMOTIVE	
Registration Number:	4960572	CHASSIX	
Registration Number:	4960575	CHASSIX	

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Property Type	Number	Word Mark
Serial Number:	85945295	CHASSIX AUTOMOTIVE
Serial Number:	85945314	CHASSIX METALCRAFT

## **CORRESPONDENCE DATA**

Fax Number:

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.

Email: nalbano@paulweiss.com,vmann@paulweiss.com,dewilliams@paulweiss.com,aspoto@

Correspondent Name: Nicole A. Albano

**Address Line 1:** 1285 Avenue of the Americas

Address Line 4: New York, NEW YORK 10019-6064

ATTORNEY DOCKET NUMBER:	21399-003
NAME OF SUBMITTER:	Nicole A. Albano
SIGNATURE:	/Nicole A. Albano/
DATE SIGNED:	11/15/2017

## **Total Attachments: 4**

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# NOTICE OF RELEASE OF SECURITY INTEREST IN TRADEMARKS

This NOTICE OF RELEASE OF SECURITY INTEREST IN TRADEMARKS (this "Release"), effective as of November 15, 2017, is made by Cantor Fitzgerald Securities, in its capacity as collateral agent (referred to herein as the "Agent"), in favor of Chassix, Inc., a Delaware corporation, Concord International, Inc., a Delaware corporation, and Diversified Machine, Inc., a Delaware corporation (as the successor in interest to the trademark rights of DMI Edon LLC) (each, a "Company" and collectively, the "Companies"), pursuant to that certain Senior Secured Exit Term Loan, Security and Guaranty Agreement, dated as of July 29, 2015 (and as the same may be further amended or modified from time to time, the "Security Agreement"), among the Companies, the Agent and other parties thereto.

# $\underline{W} \underline{I} \underline{T} \underline{N} \underline{E} \underline{S} \underline{S} \underline{E} \underline{T} \underline{H}$ :

WHEREAS, in connection with the Security Agreement, the Companies executed and delivered the Intellectual Property Security Agreement, dated as of July 29, 2015, in favor of the Agent (the "IP Security Agreement");

WHEREAS, pursuant to the IP Security Agreement, each Company granted to the Agent for the benefit of the Secured Parties a security interest in and continuing lien on all of such Company's intellectual property (excluding however, any intellectual property that is an Excluded Asset), including but not limited to the trademarks, service marks and trademark and service mark registrations and applications set forth on Schedule A attached hereto, together with the goodwill of the business symbolized thereby (the "Released Trademarks");

WHEREAS, pursuant to the US Trademark Assignment Agreement, dated as of November 10, 2017, by and between DMI Edon LLC and Diversified Machine, Inc., DMI Edon LLC assigned all of DMI Edon LLC's right, title and interest in and to its trademark registrations to Diversified Machine, Inc.;

WHEREAS, the security interest in the Released Trademarks was recorded with the United States Patent and Trademark Office (the "<u>USPTO</u>") on August 6, 2015, at Reel/Frame No. 5594/0618; and

WHEREAS, the Agent has duly authorized the execution, delivery and performance of this Release.

NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the Agent agrees, for the benefit of each Company, as follows:

SECTION 1. <u>Definitions</u>. Unless otherwise defined herein or the context otherwise requires, terms used in this Release, including its preamble and recitals, have the meanings provided or provided by reference in the Credit Agreement and Security Agreement, as applicable (it being understood that, in the event of any conflict, such terms shall have the meanings provided or provided by reference in the Security Agreement).

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- SECTION 2. <u>Release of Security Interest</u>. The Agent does hereby release, relinquish and discharge its lien on and security interest in, and right of setoff against, all of each Company's right, title and interest in, to and under the Released Trademarks. The Agent hereby re-assigns to each applicable Company all right, title and interest, if any, that the Agent may have in and to the Released Trademarks, together with all goodwill associated therewith.
- SECTION 3. <u>Termination</u>. The Agent, without any recourse, representation or warranty, hereby terminates and cancels the IP Security Agreement.
- SECTION 4. <u>Further Assurances</u>. The Agent hereby authorizes the Companies or the Companies' authorized representative to (i) record this Release with the USPTO, (ii) file UCC financing statement amendments with the applicable filing office in order to memorialize the release of the security interest of the Agent in the Released Trademarks and/or (iii) otherwise record or file this Release in the applicable governmental office or agency. The Agent further agrees to execute and deliver to the Companies any and all further documents and instruments, and do any and all further acts which the Companies (or their agents or designees) reasonably request (at the Companies' sole cost and expense) in order to confirm this Release and each Company's right, title and interest in, to and under the Released Trademarks.
- SECTION 5. <u>Choice of Law</u>. This Release shall be governed by, and construed in accordance with, the laws of the state of New York, but giving effect to federal laws applicable to national banks.
- SECTION 6. <u>Counterparts</u>. This Release may be executed in counterparts, each of which will be deemed an original, but all of which together constitute one and the same original.

[Signatures Follow On Next Page.]

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IN WITNESS WHEREOF, the Agent has caused this Release to be duly executed and delivered by its officer thereunto duly authorized as of the date set forth above.

CANTOR FITZGERALD SECURITIES,

as Agent

Name: James Bond

Title: Chief Operating Officer

[Signature Page - Notice of Release of Security Interest in Trademark Rights in Favor of Chassix, Inc., Concord International, Inc. and Diversified Machine, Inc.]

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# **SCHEDULE A**

# **UNITED STATES TRADEMARKS**

# **Federal Registrations:**

Owner	Trademark	Registration Date	Registration No.
DMI Edon LLC <sup>1</sup>	DYNATURN	February 21, 2006	3,060,849
Concord International, Inc.	ALUTECH	November 29, 2016	5,091,351
Concord International, Inc.	ALUTECH & Design	January 12, 2016	4,886,158
Concord International, Inc.	SMW AUTOMOTIVE & Design	February 23, 2016	4,905,276
Chassix, Inc.	CHASSIX	May 17, 2016	4960572
Chassix, Inc.	CHASSIX & Design	May 17, 2016	4960575

# **Federal Applications:**

Owner	Trademark	Application Date	App. No.
Chassix, Inc.	CHASSIX AUTOMOTIVE & Design	May 29, 2013 1(b) status/ITU	85/945,295
Chassix, Inc.	CHASSIX METALCRAFT & Design	May 29, 2013 1(b) status/ITU	85/945,314

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**RECORDED: 11/15/2017** 

<sup>&</sup>lt;sup>1</sup> The owner of record for this trademark is DMI Edon LLC but the current legal owner, pursuant to that certain US Trademark Assignment Agreement, dated as of November 10, 2017, by and between DMI Edon LLC and Diversified Machine, Inc., is Diversified Machine, Inc. We have filed the Trademark Assignment Agreement with the USPTO.