# OP \$515.00 5038800

# TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1 Stylesheet Version v1.2 ETAS ID: TM466366

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	Termination and Release of Security Interest in Trademark Collateral

#### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Guggenheim Corporate Funding, LLC		03/20/2018	Limited Liability Company: DELAWARE

#### **RECEIVING PARTY DATA**

Name:	Express Oil Change, L.L.C.
Street Address:	1880 Southpark Drive
City:	Birmingham
State/Country:	ALABAMA
Postal Code:	35244
Entity Type:	Limited Liability Company: DELAWARE

#### **PROPERTY NUMBERS Total: 20**

Property Type	Number	Word Mark	
Registration Number:	5038800	EXPRESS OIL CHANGE 10 MINUTE SERVICE TIR	
Registration Number:	4566952	EXPRESS OIL CHANGE 10 MINUTE SERVICE TIR	
Registration Number:	4623570	TE	
Registration Number:	4587502	E	
Registration Number:	3227809	TURN TO US	
Registration Number:	3359314	EXPRESS OIL CHANGE	
Registration Number:	3377494	EXPRESS OIL CHANGE & SERVICE CENTER	
Registration Number:	3377493	EXPRESS OIL CHANGE & SERVICE CENTER	
Registration Number:	4442726	TIRE ENGINEERS	
Registration Number:	1534649	EXPRESS OIL CHANGE	
Registration Number:	1159428	TUNE-UP CLINIC	
Registration Number:	4521270	CHANGING OIL CHANGING LIVES	
Registration Number:	5154935	TIRE ENGINEERS FULL SERVICE AUTO CARE	
Registration Number:	5198521	TIRE ENGINEERS FULL SERVICE AUTO CARE	
Serial Number:	87253981	EXPRESS OIL CHANGE SERVICE CENTER	
Serial Number:	87237698	SAVANNAH TIRE	
Serial Number:	87237793	TOPLINE TIRES	
Serial Number:	87250904	GRIFFIN BROTHERS	
Serial Number:	87375088	TRAX TIRES	
		TRADEMARK	

900443473 REEL: 006295 FRAME: 0499

Property Type	Number	Word Mark	
Serial Number:	87375103	TRAX TIRES	

#### **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.

**Phone:** 212-318-6532

Email: alanagramer@paulhastings.com

Correspondent Name: Bhaviyot Singh

Address Line 1: 200 Park Avenue, 28th FL Address Line 2: c/o Paul Hastings LLP

Address Line 4: New York, NEW YORK 10166

ATTORNEY DOCKET NUMBER:	F176100 Express Oil
NAME OF SUBMITTER:	ALANA GRAMER
SIGNATURE:	/ALANA GRAMER/
DATE SIGNED:	03/20/2018

#### **Total Attachments: 5**

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# TERMINATION AND RELEASE OF SECURITY INTEREST IN TRADEMARK COLLATERAL

This TERMINATION AND RELEASE OF SECURITY INTEREST IN TRADEMARK COLLATERAL (this "Release") is made as of March 20, 2018 ("Effective Date"), by GUGGENHEIM CORPORATE FUNDING, LLC, in its capacity as the Collateral Agent for the Secured Parties (as such terms are defined in the below-defined Credit Agreement) (together with its successors and permitted assigns in such capacity, the "Collateral Agent"), in favor of Express Oil Change, L.L.C., a Delaware limited liability company (the "Grantor").

WHEREAS, reference is made to: (a) that certain Credit Agreement, dated as of June 14, 2017 (as amended by that certain Amendment No. 1 to Credit Agreement, dated as of December 7, 2017, and as further amended, restated, supplemented, or otherwise modified from time to time, the "Credit Agreement"), by and among Mavis Tire Express Services Corp. (f/k/a EOC Group, Inc.), a Delaware corporation ("Borrower"), Mavis Tire Express Services Intermediate Corp. (f/k/a Express Intermediate Holdings Corp.), a Delaware corporation ("Holdco"), the Lenders (as defined therein) from time to time party thereto, the Administrative Agent (as defined therein) and the Collateral Agent; and (b) that certain Security Agreement, dated as of June 14, 2017 (as amended, restated, supplemented and otherwise modified from time to time, the "Security Agreement"), by and among the Grantor, the other grantors party thereto and the Collateral Agent;

WHEREAS, pursuant to the terms and conditions of that certain Trademark Security Agreement, dated as of June 14, 2017, which was recorded with the United States Patent and Trademark Office (the "USPTO") on June 14, 2017 at Reel 6083, Frame 0859 (as may be amended, restated, supplemented, or otherwise modified and in effect from time to time, the "Trademark Security Agreement"), by and among the Grantor and the Collateral Agent, the Grantor granted to the Collateral Agent a security interest in all of the Grantor's right, title and interest in and to the Trademark Collateral (as such term is defined in the Trademark Security Agreement); and

WHEREAS, the Collateral Agent now desires to terminate and release the entirety of its security interest in the Trademark Collateral, including, without limitation, the trademark registrations and applications listed on <u>Schedule 1</u> hereto.

**NOW, THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Collateral Agent hereby covenants and agrees as follows:

- 1. Without representation or warranty of any kind or nature, the Collateral Agent hereby terminates, releases, and discharges its lien on and security interest in the Trademark Collateral granted pursuant to the Trademark Security Agreement, and reassigns to the Grantor all right, title, and interest of the Collateral Agent in the Trademark Collateral pursuant to the Trademark Security Agreement, and all proceeds thereof, including, without limitation, any and all causes of action which any exist by reason of infringement of the Trademark Collateral.
- 2. The Collateral Agent hereby terminated, cancels, fully and finally releases, and discharges any other rights it may have under the Security Agreement.
  - 3. The Collateral Agent hereby authorizes the recordation of this Release with the USPTO.
- 4. The Collateral Agent hereby agrees to duly execute, acknowledge, procure and deliver any further documents and to do such other acts, in each case at the Grantor's expense, as may be

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reasonably necessary to effect the release of the security interest in the Trademark Collateral contemplated hereby.

5. This Release and the rights and obligations of the parties hereunder shall be governed by, shall be construed and enforced in accordance with, the laws of the State of New York.

[Signature page follows]

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IN WITNESS WHEREOF, the Collateral Agent has caused this Release to be executed by its duly authorized representative as of the Effective Date.

GUGGENHEIM CORPORATE FUNDING,

LLC, a Delaware limited liability company, as the Collateral Agent

By:

Name: Kevin M. Robinson Title: Attorney-in-Fact

## SCHEDULE 1

to

# TERMINATION AND RELEASE OF SECURITY INTEREST IN THE TRADEMARK COLLATERAL

### TRADEMARK REGISTRATIONS AND APPLICATIONS

## **US Trademarks:**

Registered Owner	Mark	Registration No./Application No.	Registration Date/ Filing Date
Express Oil Change, L.L.C.	EXPRESS OIL CHANGE 10 MINUTE SERVICE TIRE ENGINEERS FULL SERVICE AUTO CARE	5,038,800	9/13/2016
Express Oil Change, L.L.C.	EXPRESS OIL CHANGE 10 MINUTE SERVICE TIRE ENGINEERS FULL SERVICE AUTO CARE	4,566,952	7/15/2014
Express Oil Change, L.L.C.	TE	4,623,570	10/21/2014
Express Oil Change, L.L.C.	E	4,587,502	8/19/2014
Express Oil Change, L.L.C.	TURN TO US	3,227,809	4/10/2007
Express Oil Change, L.L.C.	EXPRESS OIL CHANGE	3,359,314	12/25/2007
Express Oil Change, L.L.C.	EXPRESS OIL CHANGE & SERVICE CENTER	3,377,494	2/5/2008
Express Oil Change, L.L.C.	EXPRESS OIL CHANGE & SERVICE CENTER	3,377,493	2/5/2008
Express Oil Change, L.L.C.	TIRE ENGINEERS	4,442,726	12/3/2013
Express Oil Change, L.L.C.	EXPRESS OIL CHANGE	1,534,649	4/11/1989

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Express Oil Change, L.L.C.			6/30/1981
Express Oil Change, L.L.C.	*		4/29/2014
Express Oil Change, L.L.C.	TIRE ENGINEERS FULL SERVICE AUTO CARE	5,154,935	3/7/2017
Express Oil Change, L.L.C.	TIRE ENGINEERS FULL SERVICE AUTO CARE	5,198,521	5/9/2017
Express Oil Change, L.L.C.			12/1/2016
Express Oil Change, L.L.C.	SAVANNAH TIRE	87237698	11/15/2016
Express Oil Change, L.L.C.	TOPLINE TIRES	87237793	11/15/2016
Express Oil Change, L.L.C.	GRIFFIN BROTHERS	87250904	11/29/2016
Express Oil Change, L.L.C.	TRAX TIRES	87375088	3/17/2017
Express Oil Change, L.L.C.	TRAX TIRES	87375103	3/17/2017