# OP \$415.00 453426

# TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1 Stylesheet Version v1.2 ETAS ID: TM509075

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	Release (Reel 5979 / Frame 0553)		

#### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Bank of America, N.A.		02/05/2019	Bank: UNITED STATES

## **RECEIVING PARTY DATA**

Caliber Holdings Corporation		
401 East Corporate Drive, Suite 150		
Lewisville		
TEXAS		
75057		
Corporation: DELAWARE		
Caliber Bodyworks of Nevada, Inc.		
401 East Corporate Drive, Suite 150		
Lewisville		
TEXAS		
75057		
Corporation: DELAWARE		
Caliber Bodyworks of Arizona, Inc.		
401 East Corporate Drive, Suite 150		
Lewisville		
TEXAS		
75057		
Corporation: DELAWARE		

## **PROPERTY NUMBERS Total: 16**

Property Type	Number	Word Mark	
Registration Number:	4534265	CALIBER COLLISION	
Registration Number:	4585075	CALIBER COLLISION	
Registration Number:	4534267	CALIBER COLLISION	
Registration Number:	4534266	CALIBER COLLISION	
Registration Number:	1770871	CALIBER COLLISION CENTERS	
Registration Number:	2270592	CALIBER COLLISION CENTERS	
Registration Number:	4141222		

Property Type Number		Word Mark		
Registration Number: 4463742				
Registration Number:	4075215	RESTORING THE RHYTHM OF YOUR LIFE		
Registration Number:	2488260	9 1 1 COLLISION CENTERS		
Serial Number:	86861642	CALIBER COLLISION EXPRESS		
Serial Number:	85226716	C.A.R.S.		
Serial Number:	78367071	CALIBERCARE		
Registration Number:	2708662	CALIBEREXPRESS		
Serial Number:	85226631	CALIBER ADVANCED REPAIR SYSTEM		
Serial Number:	86861639	CALIBER COLLISION EXPRESS		

#### CORRESPONDENCE DATA

**Fax Number:** 8009144240

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:** 800-713-0755

Email: Michael.Violet@wolterskluwer.com

Correspondent Name: CT Corporation

**Address Line 1:** 4400 Easton Commons Way

Address Line 2: Suite 125

Address Line 4: Columbus, OHIO 43219

NAME OF SUBMITTER:	Doris Ka
SIGNATURE:	/Doris Ka/
DATE SIGNED:	02/07/2019

### **Total Attachments: 5**

source=aCaliber - 1L Trademark Release (Feb 1 SA) (executed)#page1.tif source=aCaliber - 1L Trademark Release (Feb 1 SA) (executed)#page2.tif source=aCaliber - 1L Trademark Release (Feb 1 SA) (executed)#page3.tif source=aCaliber - 1L Trademark Release (Feb 1 SA) (executed)#page4.tif source=aCaliber - 1L Trademark Release (Feb 1 SA) (executed)#page5.tif

#### RELEASE OF SECURITY INTEREST IN TRADEMARKS

This RELEASE OF SECURITY INTEREST IN TRADEMARKS (this "Release"), dated as of February 5, 2019 (the "Effective Date"), is made by BANK OF AMERICA, N.A., in its capacity as Administrative Agent (the "Agent"), in favor of the Grantors (as defined below).

WHEREAS, pursuant to that certain First Lien Pledge and Security Agreement, dated as of February 1, 2017, by and among the Agent, the Grantors and certain other parties thereto (as amended, amended and restated, supplemented or otherwise modified from time to time, the "Security Agreement"), the Grantor granted to the Agent, in its capacity as Administrative Agent, a security interest in and to certain collateral:

WHEREAS, pursuant to the Security Agreement, Caliber Holdings Corporation, Caliber Bodyworks of Nevada, Inc. and Caliber Bodyworks of Arizona, Inc. (each, a "<u>Grantor</u>" and, collectively, the "<u>Grantors</u>") executed and delivered a Trademark Security Agreement, dated as of February 1, 2017, which was recorded at the United States Patent and Trademark Office on February 1, 2017 at Reel/Frame 5979/0553 (the "<u>First Lien Trademark Security Agreement</u>").

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

- 1. <u>Defined Terms</u>. All capitalized terms used, but not otherwise defined herein, shall have the respective meanings ascribed in or otherwise referenced in the Security Agreement or the First Lien Trademark Security Agreement, as applicable.
- 2. Release. The Agent, without representation or warranty of any kind, hereby releases, discharges, terminates and cancels all of its security interest in and to the trademark registrations and applications set forth on Schedule A attached hereto (the "Released Trademark Collateral"), arising under the Security Agreement and the First Lien Trademark Security Agreement. If and to the extent that the Agent has acquired any right, title or interest in and to the Released Trademark Collateral under the Security Agreement or the First Lien Trademark Security Agreement, the Agent, without representation or warranty of any kind, hereby re-transfers, re-conveys and re-assigns such right, title or interest to each applicable Grantor.
- 3. <u>Termination</u>. The Agent, without representation or warranty of any kind, terminates and cancels the First Lien Trademark Security Agreement.
- 4. <u>Further Assurances</u>. The Agent agrees to take all further actions, and provide to the Grantor and its successors, assigns or other legal representatives, all such cooperation and assistance (including, without limitation, the execution and delivery of any and all documents or other instruments), reasonably requested by the Grantor, at the Grantor's sole cost and expense, to more fully and effectively effectuate the purposes of this Release.
- 5. <u>Governing Law</u>. This Release shall be governed exclusively under the laws of New York, without regard to conflicts of law or choice of law principles.

[Signature Page Follows]

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

BANK OF AMERICA, N.A., acting in its capacity as Administrative Agent for the Secured Parties

Name: Charlene Wright-Jones

Title: Vice President

[Caliber - Signature Page to First Lien Trademark Release]

# Schedule A

First Lien Trademark Security Agreement recorded February 1, 2017 at Reel/Frame 5979/0553

# 1. <u>Trademarks</u>:

Title	Com States	A 1 %)	A Data	Dom No.	Registration	O
IIIE	Case Status	Appl. No.	Appl. Date	Reg. No.	Date	Owner
CALIBER						
COLLISION &						
Design						
(horizontal, black background)	Registered	85/727,647	09/12/2012	4,534,265	May 20, 2014	Caliber Holdings Corporation
CALIBER	Registered	03/12/,04/	03/12/2012	+,55+,205	1viay 20, 201+	Corporation
COLLISION &						
Design						
horizontal, white						Caliber Holdings
background)	Registered	85/727,582	09/12/2012	4,585,075	August 12, 2014	Corporation
CALIBER		,				
COLLISION &						
Design (vertical, black						Coliber Holdings
background)	Registered	85/727,654	09/12/2012	4,534,267	May 20, 2014	Caliber Holdings Corporation
CALIBER				1,22 1,22		
COLLISION &						
Design (vertical,						C II II II
white background)	Registered	85/727,648	09/12/2012	4,534,266	May 20, 2014	Caliber Holdings Corporation
CALIBER	Registered	03/12/,010	03/12/2012	1,551,200	Way 20, 2011	Corporation
COLLISION						Caliber Holdings
CENTERS	Registered	74/180,708	07/01/1991	1,770,871	05/11/1993	Corporation
CALIBER						
COLLISION CENTERS &						Caliber Holdings
Design	Registered	75/488,943	05/21/1998	2,270,592	08/17/1999	Corporation
Design (Color						Caliber Holdings
Wheel)	Registered	85/273,780	03/22/2011	4,141,222	05/15/2012	Corporation
Design (horizontal color						Coliber Holdings
bar)	Registered	85/727,572	09/12/2012	4,463,742	January 7, 2014	Caliber Holdings Corporation
RESTORING				.,,	, , , , , , , , , , , , , , , , , , , ,	+ F
THE RHYTHM						Caliber Holdings
OF YOUR LIFE	Registered	85/197,486	12/14/2010	4,075,215	12/20/2011	Corporation
						Caliber
911						Bodyworks of Nevada, Inc. and
COLLISION						Caliber
CENTERS &		<b>55</b> /610 40 5	04424633	2 400 265	00/44/2001	Bodyworks of
Design	Registered	75/619,406	01/12/1999	2,488,260	09/11/2001	Arizona, Inc.
Caliber Collision	Pending	86/861,639				Caliber Holdings

Title	Case Status	Appl. No.	Appl. Date		Registration Date	Owner
Express	ITU		2/30/2015			Corporation
(color drawing)						
Caliber Collision						
Express						Caliber Holdings
(color drawing)	Pending	86/861,642	12/30/2015			Corporation
Desert Storm Delivery	Registered			563408		

<u>Title</u>	Case Status	Appl. No.	Appl. Date	Reg. No.	Registration Date	Owner
C.A.R.S.	Abandoned	85/226,716	01/26/2011			Caliber Holdings Corporation
CALIBERCARE	Abandoned	78/367,071	02/12/2004			Caliber Holdings Corporation
CALIBEREXPR ESS	Cancelled	76/322,539	10/09/2001	2,708,662	04/22/2003	Caliber Holdings Corporation
CALIBER ADVANCED REPAIR SYSTEM	Abandoned	85/226,631	01/26/2011			Caliber Holdings Corporation

**RECORDED: 02/07/2019**