# TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1 ETAS ID: TM529564 Stylesheet Version v1.2

**SUBMISSION TYPE: NEW ASSIGNMENT** 

**NATURE OF CONVEYANCE:** Release of Security Interest: Recorded at Reel/Frame - 6592/0254

#### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type	
Pathlight Capital Fund I LP		06/10/2019	Limited Partnership: DELAWARE	

### **RECEIVING PARTY DATA**

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

# **PROPERTY NUMBERS Total: 1**

Property Type	Number	Word Mark
Registration Number:	2536888	AMERICAN HIGHWAY TECHNOLOGY

## CORRESPONDENCE DATA

Fax Number: 3128622200

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: 3128623837

raza.siddiqui@kirkland.com Email:

**Correspondent Name:** Raza Siddiqui Address Line 1: 300 N. Lasalle Address Line 2: Kirkland & Ellis LLP

Address Line 4: Chicago, ILLINOIS 60654

ATTORNEY DOCKET NUMBER: 11221-11 NAME OF SUBMITTER: Raza Siddiqui SIGNATURE: /razasiddiqui/

**DATE SIGNED:** 06/27/2019

#### **Total Attachments: 3**

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> **TRADEMARK** REEL: 006679 FRAME: 0856

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#### TERMINATION AND RELEASE OF SECURITY INTEREST IN TRADEMARK RIGHTS

THIS TERMINATION AND RELEASE OF SECURITY INTEREST IN TRADEMARK RIGHTS (this "<u>Termination and Release</u>"), dated as of June 10, 2019, by Pathlight Capital Fund I LP, as collateral agent (in such capacity, the "<u>Collateral Agent</u>") for the Secured Parties.

#### WITNESSETH:

WHEREAS, reference is made to that certain Credit Agreement dated as of March 6, 2019 (as amended by that certain First Amendment to Credit Agreement dated as April 29, 2019, as further amended, restated, supplemented or otherwise modified from time to time, including all schedules thereto, the "Credit Agreement"), by and among, among others, Dayton Superior Corporation, a Delaware corporation (the "Lead Borrower") and the Collateral Agent;

WHEREAS, pursuant to that certain Trademark Security Agreement dated as of March 8, 2019 (the "Original Trademark Security Agreement"), the Lead Borrower granted a lien on and security interest (the "Security Interest") to the Collateral Agent in certain collateral, including the Trademark Collateral;

WHEREAS, the Original Trademark Security Agreement was recorded in the Trademark Division of the United States Patent and Trademark Office on March 15, 2019, at Reel/Frame 6592/0254; and

WHEREAS, the Collateral Agent now desires to terminate and release its Security Interest in the Trademarks listed on Schedule 1 hereto (the "Released Trademarks").

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and upon the terms set forth in this Termination and Release, the Collateral Agent hereby agrees as follows:

- 1. <u>Definitions</u>. Capitalized terms not defined herein have the meanings set forth in the Original Trademark Security Agreement.
- 2. <u>Release of Security Interest</u>. The Collateral Agent, without representation, warranty or recourse, hereby terminates, releases and discharges any and all Security Interest in the Released Trademarks, and any right, title or interest of the Collateral Agent in such Released Trademarks shall hereby cease and become void.
- 3. <u>Recordation</u>. The Collateral Agent authorizes the Lead Borrower and its designees to record this Termination and Release with the United States Patent and Trademark Office or any other applicable governmental authority at the Lead Borrower's sole expense.

[Signature Page Follows]

TRADEMARK
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IN WITNESS WHEREOF, the undersigned has executed this Termination and Release as of the date first above written.

# PATHLIGHT CAPITAL FUND LLP,

as Collateral Agent

By: Pathlight Partners GP LLC, its General

Partner

Name: KyJE,8honak

Title: Minaging Director

[Signature Page to Termination and Release of Security Interest in Trademark Rights]

**TRADEMARK REEL: 006679 FRAME: 0858** 

# Schedule 1

# **Released Trademarks**

Owner	Trademark	Registration Number	Registration Date
Dayton Superior Corporation	AMERICAN HIGHWAY TECHNOLOGY	2536888	February 5, 2002

9299254

**RECORDED: 06/27/2019** 

TRADEMARK REEL: 006679 FRAME: 0859