

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM610881

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT
<b>NATURE OF CONVEYANCE:</b>	SECURITY INTEREST

## CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
National Gypsum Properties, LLC		03/24/2020	Limited Liability Company: DELAWARE

## RECEIVING PARTY DATA

<b>Name:</b>	Bank of America, N.A., as Collateral Agent
<b>Street Address:</b>	900 W. Trade Street, 6th Floor
<b>Internal Address:</b>	NC1-026-06-03
<b>City:</b>	Charlotte
<b>State/Country:</b>	NORTH CAROLINA
<b>Postal Code:</b>	28255
<b>Entity Type:</b>	National Banking Association: UNITED STATES

## PROPERTY NUMBERS Total: 32

Property Type	Number	Word Mark
Serial Number:	88275381	NATIONAL GYPSUM
Serial Number:	88275375	NATIONAL GYPSUM
Serial Number:	88506332	
Serial Number:	88506306	NATIONAL GYPSUM
Serial Number:	88275386	
Serial Number:	88235203	PURPLE
Serial Number:	88235193	EVOLVE YOUR WALLS
Serial Number:	88275373	PURPLE EVOLVE YOUR WALLS
Serial Number:	88275369	PURPLE EVOLVE YOUR WALLS
Serial Number:	88398268	LITE-BLUE
Serial Number:	88026511	MAX 14
Serial Number:	88026505	MAX 16
Serial Number:	88026489	MAX 18
Serial Number:	88235184	
Serial Number:	88275361	NATIONAL GYPSUM
Serial Number:	88167473	PERMA BASE
Serial Number:	88107397	FIRE-SHIELD 60
Serial Number:	88107390	FIRE-SHIELD 30

TRADEMARK

Property Type	Number	Word Mark
Serial Number:	88506318	NATIONAL GYPSUM
Serial Number:	88506291	NATIONAL GYPSUM
Serial Number:	88107408	HIGH STRENGTH FIRE-SHIELD 60
Serial Number:	88107403	HIGH STRENGTH FIRE-SHIELD 30
Serial Number:	88087820	EXP
Serial Number:	87399320	SOUNDBREAK XP CEILING
Serial Number:	87399279	SOUNDBREAK XP WALL
Serial Number:	87843879	BUILDING FUTURES
Serial Number:	87805282	MAX 12
Serial Number:	87859279	HI-IMPACT
Serial Number:	87947929	HIGH STRENGTH LITE
Serial Number:	87399398	SOUNDBREAK XP
Serial Number:	87399374	SOUNDBREAK XP
Serial Number:	87399340	SOUNDBREAK XP RETROFIT

**CORRESPONDENCE DATA**

**Fax Number:** 7044448847

*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:** 704-343-2000

**Email:** ksaltrick@mcguirewoods.com

**Correspondent Name:** McGuireWoods LLP

**Address Line 1:** 201 N. Tryon Street, Suite 3000

**Address Line 2:** Attention: Rebecca Chaffin, Esq.

**Address Line 4:** Charlotte, NORTH CAROLINA 28202

<b>NAME OF SUBMITTER:</b>	Rebecca Chaffin
<b>SIGNATURE:</b>	/s/ Rebecca Chaffin
<b>DATE SIGNED:</b>	11/25/2020

**Total Attachments: 6**

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**ASSIGNMENT OF SECURITY INTEREST  
IN UNITED STATES PATENTS AND TRADEMARKS**

FOR GOOD AND VALUABLE CONSIDERATION, receipt and sufficiency of which are hereby acknowledged, NATIONAL GYPSUM PROPERTIES, LLC, a Delaware limited liability company (the "Assignor"), having its chief executive office at 2001 Rexford Road, Charlotte, North Carolina 28211, hereby assigns and grants to BANK OF AMERICA, N.A., as collateral agent (the "Collateral Agent"), with offices at 900 W. Trade St., 6<sup>th</sup> Floor, NC1-026-06-03, Charlotte, NC 28255-0001 Attn: Mollie S. Canup, a security interest in (all of which are herein collectively referred to as the "PTO Collateral") (i) all of the Assignor's right, title and interest in and to the United States trademarks, trademark registrations and trademark applications set forth on Schedule A attached hereto (the "Marks"), (ii) all of the Assignor's right, title and interest in and to the United States patents set forth on Schedule B attached hereto (the "Patents"), in each case together with (iii) all Proceeds (as such term is defined in the Security Agreement referred to below) and products of the Marks and Patents, (iv) the goodwill of the businesses symbolized by the Marks and (v) all causes of action arising prior to or after the date hereof for infringement of any of the Marks and Patents or unfair competition regarding the same.

THIS ASSIGNMENT is made to secure the full and prompt performance and payment of all the Secured Obligations of the Assignor, as such term is defined in the Amended and Restated Security Agreement, dated as of March 24, 2020, among the Assignor, the Collateral Agent and the other parties thereto (as amended, supplemented or modified from time to time, the "Security Agreement"). Upon the termination of the Security Agreement, the Collateral Agent shall execute, acknowledge, and deliver to the Assignor an instrument in writing releasing the security interest in the PTO Collateral acquired under this Assignment.

THIS ASSIGNMENT has been granted in conjunction with the security interest granted to the Collateral Agent for the benefit of the Secured Parties under the Security Agreement. The rights and remedies of the Collateral Agent with respect to the security interest granted herein are without prejudice to, and are in addition to, those set forth in the Security Agreement, all terms and provisions of which are incorporated herein by reference. In the event that any provision of this Assignment is deemed to conflict with the Security Agreement, the provisions of the Security Agreement shall govern.


*[Remainder of page intentionally left blank; signature pages follow]*

IN WITNESS WHEREOF, the undersigned have executed this Assignment as of the day and year first above written.

NATIONAL GYPSUM PROPERTIES, LLC,  
a Delaware limited liability company,  
as Assignor

By:   
Name: George W. Beckwith  
Title: Vice President & Chief Financial Officer

BANK OF AMERICA, N.A., as  
Collateral Agent

By:   
Name: Cindy Jordan  
Title: Assistant Vice President

**SCHEDULE A**

**TRADEMARKS AND TRADEMARK APPLICATIONS**

<b>Trademark</b>	<b>Application No.</b>	<b>Registration No.</b>	<b>Owner</b>	<b>Status</b>
NATIONAL GYPSUM	88275381		National Gypsum Properties, LLC	Pending
NATIONAL GYPSUM	88275375		National Gypsum Properties, LLC	Pending
[MARK]	88506332		National Gypsum Properties, LLC	Pending
NATIONAL GYPSUM	88506306		National Gypsum Properties, LLC	Pending
[MARK]	88275386	6011043	National Gypsum Properties, LLC	Registered
PURPLE	88235203		National Gypsum Properties, LLC	Pending
EVOLVE YOUR WALLS	88235193		National Gypsum Properties, LLC	Pending
PURPLE EVOLVE YOUR WALLS	88275373		National Gypsum Properties, LLC	Pending
PURPLE EVOLVE YOUR WALLS	88275369		National Gypsum Properties, LLC	Pending
LITE-BLUE	88398268		National Gypsum Properties, LLC	Pending
MAX 14	88026511		National Gypsum Properties, LLC	Pending
MAX 16	88026505		National Gypsum Properties, LLC	Pending
MAX 18	88026489		National Gypsum Properties, LLC	Pending
[MARK]	88235184		National Gypsum Properties, LLC	Pending
NATIONAL GYPSUM	88275361	5901051	National Gypsum Properties, LLC	Registered
PERMA BASE	88167473	5900719	National Gypsum Properties, LLC	Registered
FIRE-SHIELD 60	88107397	5892721	National Gypsum Properties, LLC	Registered
FIRE-SHIELD 30	88107390	5892720	National Gypsum Properties, LLC	Registered
NATIONAL GYPSUM	88506318		National Gypsum Properties, LLC	Pending
NATIONAL GYPSUM	88506291		National Gypsum Properties, LLC	Pending

Trademark	Application No.	Registration No.	Owner	Status
HIGH STRENGTH FIRE-SHIELD 60	88107408	5831785	National Gypsum Properties, LLC	Registered
HIGH STRENGTH FIRE-SHIELD 30	88107403	5824783	National Gypsum Properties, LLC	Registered
EXP	88087820	5670603	National Gypsum Properties, LLC	Registered
SOUNDBREAK XP CEILING	87399320	5932436	National Gypsum Properties, LLC	Registered
SOUNDBREAK XP WALL	87399279	5932435	National Gypsum Properties, LLC	Registered
BUILDING FUTURES	87843879		National Gypsum Properties, LLC	Pending
MAX 12	87805282	5842152	National Gypsum Properties, LLC	Registered
HI-IMPACT	87859279	5831116	National Gypsum Properties, LLC	Registered
HIGH STRENGTH LITE	87947929	5674024	National Gypsum Properties, LLC	Registered
SOUNDBREAK XP	87399398	5444792	National Gypsum Properties, LLC	Registered
SOUNDBREAK XP	87399374	5444791	National Gypsum Properties, LLC	Registered
SOUNDBREAK XP RETROFIT	87399340	5444790	National Gypsum Properties, LLC	Registered

**PATENTS AND PATENT APPLICATIONS**

**SCHEDULE B**

<b>Representative Title</b>	<b>Application Number</b>	<b>Filing Date</b>	<b>Patent Number</b>	<b>Grant Date</b>
<b>CEMENTITIOUS PANELS, AND SYSTEMS AND METHODS FOR MANUFACTURING CEMENTITIOUS PANELS</b>	15/995798	06/01/2018	10562206	02/18/2020
<b>Sound Damping Wallboard and Method of Constructing a Sound Damping Wallboard</b>	15/995348	06/01/2018		
<b>Air and Water Barrier Building Panels</b>	15/996983	06/04/2018		
<b>Sound damping wallboard and method of forming a sound damping wallboard</b>	15/293184	10/13/2016	9909304	03/06/2018
<b>SOUND DAMPING WALLBOARD AND METHOD OF FORMING A SOUND DAMPING WALLBOARD</b>	15/911777	03/05/2018	10519650	12/31/2019