# CH \$115.00 763

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1 Stylesheet Version v1.2 ETAS ID: TM645007

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

#### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Bank of America, N.A.		05/07/2021	National Banking Association: UNITED STATES

#### **RECEIVING PARTY DATA**

Name:	ANC SUB, LLC	
Street Address:	1955 Lake Park Drive, Suite 400	
City:	Smyrna	
State/Country:	GEORGIA	
Postal Code:	30080	
Entity Type:	Limited Liability Company: DELAWARE	

#### **PROPERTY NUMBERS Total: 4**

Property Type	Number	Word Mark
Serial Number:	76398877	PROLOGIX
Serial Number:	88637219	ACCELERATE
Serial Number:	88637230	
Serial Number:	88637237	ACCELERATE

#### **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: rlyne@paulweiss.com, snygren@paulweiss.com,

mmcguire@paulweiss.com

Correspondent Name: Rebecca B Lyne

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

Address Line 2: Paul Weiss Rifkind Wharton & Garrison LLP

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

ATTORNEY DOCKET NUMBER:	21038-009
NAME OF SUBMITTER:	Rebecca Lyne
SIGNATURE:	/s/ Rebecca Lyne
DATE SIGNED:	05/07/2021

**Total Attachments: 4** 

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#### **EXECUTION VERSION**

# NOTICE OF RELEASE OF SECURITY INTEREST IN TRADEMARKS

This NOTICE OF RELEASE OF SECURITY INTEREST IN TRADEMARKS (this "Release"), effective as of May 7, 2021 is made by Bank of America, N.A., in its capacity as agent (referred to herein as the "Agent"), in favor of ANC SUB, LLC, a Delaware limited liability company (the "Company"), pursuant to that certain Loan Security Agreement, dated as of December 20, 2019 (and as the same may be further amended or modified from time to time, the "Security Agreement"), among the Company, the Agent and other parties thereto.

## WITNESSETH:

WHEREAS, in connection with the Security Agreement, the Company executed and delivered the Notice of Grant of Security Interests in Trademarks, dated as of December 20, 2019, in favor of the Agent (the "<u>Trademark Security Agreement</u>");

WHEREAS, pursuant to the Trademark Security Agreement, the Company pledged and granted to the Agent for the benefit of the other Secured Parties a lien on and continuing security interest in the Trademark Collateral, 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, the Agent recorded its security interest in the Released Trademarks with the United States Patent and Trademark Office (the "<u>USPTO</u>") on December 23, 2019, at Reel/Frame No. 6824/0702; 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 the 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 Agreements, 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 Agreements).
- 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 the Company's right, title and interest in, to and under the Released Trademarks.
- SECTION 3. <u>Termination</u>. The Agent, without any recourse, representation or warranty, hereby terminates and cancels the Trademark Security Agreement.
- SECTION 4. <u>Further Assurances</u>. The Agent hereby authorizes the Company or the Company's 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

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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 Company any and all further documents and instruments, and do any and all further acts which the Company (or their agents or designees) reasonably request (at the Company's sole cost and expense) in order to confirm this Release and the 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.]

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.

BANK OF AMERICA, N.A., as Agent

By: Michelle Terwilleger

Title: Vice President

REEL: 007284 FRAME: 0764

# SCHEDULE A

# **U.S. Trademark Applications and Registrations**

Mark Name	Serial No.	Filing Date	Registration No.	Registration Date
PROLOGIX	76398877	04/22/2002	3038787	01/10/2006
ACCELERATE	88637219	10/01/2019	-	
ACCELERATE POLYGON LOGO	88637230	10/01/2019	6063122	05/26/2020
ACCELERATE COMPOSITE MARK	88637237	10/01/2019		

**RECORDED: 05/07/2021**