# OP \$265.00 77337592

# TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1 Stylesheet Version v1.2 ETAS ID: TM756659

SUBMISSION TYPE: NEW ASSIGNMENT

NATURE OF CONVEYANCE: RELEASE OF SECURITY INTEREST

#### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
PNC BANK, NATIONAL ASSOCIATION		09/19/2022	National Banking Association: UNITED STATES

#### **RECEIVING PARTY DATA**

Name:	AEOLUS DOWN, INC.		
Street Address:	5200 Shea Center Drive		
City:	Ontario		
State/Country:	CALIFORNIA		
Postal Code:	91761		
Entity Type:	Corporation: CALIFORNIA		

#### **PROPERTY NUMBERS Total: 10**

Property Type	Number	Word Mark	
Serial Number:	77337592	ZEN BREEZE	
Serial Number:	77390422	INDOOR WEATHER	
Serial Number:	77619998	CAMPUS LIFE	
Serial Number:	78796334	JUST LIKE DOWN	
Serial Number:	78861494	BASIC ELEMENTS	
Serial Number:	85012125	STAINTECH	
Serial Number:	85295740	SIMPLE FIT	
Serial Number:	85616382	HOT CHOCOLATE BRAND	
Serial Number:	85746181	DUET BED PILLOW	
Serial Number:	85746196	COZY OR COOL	

#### **CORRESPONDENCE DATA**

**Fax Number:** 2136272579

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.

using a lax number, if provided, if that is unsuccessful, it will be sent via 05 mail.

**Phone:** 2134579864

Email: dkay@mcguirewoods.com

Correspondent Name: Don Kay

**Address Line 1:** 355 S. Grand Avenue, Suite 4200 **Address Line 4:** Los Angeles, CALIFORNIA 90071

TRADEMARK
REEL: 007851 FRAME: 0752

900721377

ATTORNEY DOCKET NUMBER:	2051606-0546
NAME OF SUBMITTER:	Don Kay
SIGNATURE:	/Don Kay/
DATE SIGNED:	09/21/2022

### **Total Attachments: 3**

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TRADEMARK REEL: 007851 FRAME: 0753

#### TERMINATION AND RELEASE OF SECURITY INTEREST IN TRADEMARKS

This TERMINATION AND RELEASE OF SECURITY INTEREST IN TRADEMARKS, dated as of September 19, 2022 ("Release"), is made by PNC BANK, NATIONAL ASSOCIATION, a national banking association, ("Agent"), in favor of AEOLUS DOWN, INC., a California corporation (the "Grantor").

WHEREAS, pursuant to (i) that certain Revolving Credit, Term Loan and Security Agreement dated as of September 27, 2013 (as amended, restated, supplemented, modified, extended, renewed or replaced from time to time, the "Loan Agreement") by and among the Grantor, Agent, and others party thereto and (ii) that certain Trademark Security Agreement dated as of September 27, 2013 by and among the Grantor and Agent ("Trademark Agreement"), Grantor granted to the Agent, a lien on and security interest in all of Grantor's right, title and interest in, to and under the Trademark Collateral (as defined in the Trademark Agreement);

WHEREAS, the Trademark Agreement was recorded at the United States Patent and Trademark Office ("USPTO") on October 2, 2013 at Reel 5122 Frame 0646.

**NOW THEREFORE**, in consideration of the mutual promises and undertakings set forth herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and with the intention of being legally bound hereby, Agent, and Grantor agree as follows:

**SECTION 1.** <u>Defined Terms</u>. Capitalized terms used herein without definition shall have the meanings ascribed to such terms in the Loan Agreement or Trademark Agreement.

**SECTION 2.** <u>Termination and Release</u>. Agent, without representation, warranty, or recourse, hereby:

- (a) terminates, cancels, discharges, and releases the mortgage, pledge, and hypothecation and lien on and security interest in and to the Grantor' right, title, and interest in, to, and under the Trademark Collateral (as defined in the Trademark Agreement), including, but not limited to, the foregoing listed on Schedule A attached hereto, granted pursuant to the Loan Agreement and the Trademark Agreement; and
  - (b) authorizes the recordation of this Release with the USPTO at Grantor's expense.

**SECTION 3.** Choice of Law. This Release shall be governed by and construed in accordance with the laws of the State of New York.

TRADEMARK
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IN WITNESS WHEREOF, the Agent has caused this Termination and Release of Security Interest in Trademarks to be duly executed as of the date first set forth above.

PNC BANK, NATIONAL ASSOCIATION, as Agent

Name: Albert Sarkis

Title: Senior Vice President

TERMINATION AND RELEASE OF SECURITY INTEREST IN TRADEMARKS - AEOLUS DOWN (2013)
(KEECO)
Signature Page

TRADEMARK

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# SCHEDULE A

# TRADEMARK COLLATERAL

# I. Owned Trademarks

Trademark	Serial No.	Registration Number	Registration Date
Hot Chocolate Brand	85616382	4359110	June 25, 2013
Duet Bed Pillow	85746181	4349630	June 11, 2013
Cozy or Cool	85746196	4342434	May 28, 2013
Simple Fit	85295740	4172704	July 10, 2012
Stain Tech	85012125	3959544	May 10, 2011
Basic Elements	78861494	3363598	January 1, 2008
Just like Down	78796334	3349915	December 4, 2007
Campus Life	77619998	3738808	January 19, 2010
Indoor Weather	77390422	3562330	January 13, 2009
Zen Breeze	77337592	3562243	January 13, 2009

# 2. Licensed Trademarks

NONE

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**RECORDED: 09/21/2022** 

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