ETAS ID: TM350711

Electronic Version v1.1

Stylesheet Version v1.2

**SUBMISSION TYPE: NEW ASSIGNMENT** 

Termination and Release of Security Interest in Trademarks **NATURE OF CONVEYANCE:** 

### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Bank of America, N.A., as Administrative Agent		08/06/2015	national banking association: UNITED STATES

TRADEMARK ASSIGNMENT COVER SHEET

### **RECEIVING PARTY DATA**

Name:	Clinical Innovations, LLC
Street Address:	747 West 4170 South
City:	Murray
State/Country:	UTAH
Postal Code:	84123
Entity Type:	LIMITED LIABILITY COMPANY: DELAWARE

### **PROPERTY NUMBERS Total: 11**

Property Type	Number	Word Mark
Registration Number:	4260042	ROM +
Registration Number:	4253800	C-SNORKEL
Registration Number:	4151217	ROM PLUS
Registration Number:	3402659	ACCUCIRC
Registration Number:	3193673	SOFTLIFT
Registration Number:	2772711	LATITUDE
Registration Number:	2752902	
Registration Number:	2615500	KIWI
Registration Number:	2562058	OMNICUP
Registration Number:	2145670	KOALA
Registration Number:	1973681	CLEARVIEW

### CORRESPONDENCE DATA

900333689

Fax Number: 9192868199

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: 919 286-8000

PTO TMconfirmation@mvalaw.com Email:

**MOORE & VAN ALLEN PLLC Correspondent Name:** 

Address Line 1: 3015 CARRINGTON MILL BOULEVARD

TRADEMARK

**REEL: 005595 FRAME: 0418** 

Address Line 2: SUITE 400
Address Line 4: MORRISVILLE, NORTH CAROLINA 27560

ATTORNEY DOCKET NUMBER: 422311-117

NAME OF SUBMITTER: John E. Slaughter

SIGNATURE: /John E. Slaughter/

DATE SIGNED: 08/07/2015

Total Attachments: 3

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> TRADEMARK REEL: 005595 FRAME: 0419

## TERMINATION AND RELEASE OF SECURITY INTEREST IN TRADEMARKS

This TERMINATION AND RELEASE OF SECURITY INTEREST IN TRADEMARKS, dated as of August <u>6</u>, 2015 ("Release"), is made by Bank of America, N.A., as Administrative Agent ("Administrative Agent") in favor of Clinical Innovations, LLC, a Delaware limited liability company ("Grantor").

WHEREAS, pursuant to that certain Security and Pledge Agreement dated as of November 15, 2012 (as amended, restated, supplemented, modified, extended, renewed or replaced from time to time, the "Security Agreement") by and among the Obligors party thereto and the Administrative Agent, each Obligor granted to the Administrative Agent, for the benefit of the holders of the Secured Obligations ("Secured Parties"), a continuing security interest in, and a right to set off against, any and all right, title and interest of such Obligor in and to Trademarks;

WHEREAS, pursuant to the Security Agreement, Grantor, an Obligor, executed and delivered to Administrative Agent, for the benefit of the Secured Parties, the Notice of Grant of Security Interest in Trademarks dated as of November 15, 2012 ("Notice"); and

WHEREAS, the Notice was recorded at the United States Patent and Trademark Office ("USPTO") on November 15, 2012 at Reel 4901 Frame 0551.

**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, Administrative Agent, on behalf of the Secured Parties, and Grantor agree as follows:

- **SECTION 1**. <u>Defined Terms</u>. All capitalized terms used herein but not otherwise defined herein have the meanings given to them in the Security Agreement or Notice.
- **SECTION 2**. <u>Termination and Release</u>. Administrative Agent, on behalf of the Secured Parties, 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's** right, title, and interest in and to Trademarks, including, but not limited to, the foregoing listed on Schedule A attached hereto, granted pursuant to the Security Agreement or Notice; 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 REEL: 005595 FRAME: 0420 IN WITNESS WHEREOF, the Administrative Agent, on behalf of the Secured Parties, has caused this Termination and Release of Security Interest in Trademarks to be duly executed as of the date first set forth above.

Administrative Agent:

Bank of America, N.A., as Administrative Agent

Name: Darleen R. DiGrazia

Title: Vice President

### Schedule A

# Clinical Innovations, LLC (Delaware Limited Liability Company)

### U.S. Trademarks

### **Registered Marks**

Mark	Reg. No.	Reg. Date
ROM +	4260042	12/18/12
C-SNORKEL	4253800	12/04/12
ROM PLUS	4151217	05/29/12
ACCUCIRC	3402659	03/25/08
SOFTLIFT	3193673	01/02/07
LATITUDE	2772711	10/07/03
Design only	2752902	08/19/03
KIWI	2615500	09/03/02
OMNICUP	2562058	04/16/02
KOALA	2145670	03/24/98
CLEARVIEW	1973681	05/14/96

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**RECORDED: 08/07/2015** 

TRADEMARK REEL: 005595 FRAME: 0422