

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM617174

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	Release of Security Interests Recorded at Reel/Frames 3718/0887 and 3718/0895

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
BMO Harris Bank N.A.		12/29/2020	National Banking Association: UNITED STATES

RECEIVING PARTY DATA

Name:	Gardner Asphalt Corporation
Street Address:	4161 E. 7th Avenue
City:	Tampa
State/Country:	FLORIDA
Postal Code:	33605
Entity Type:	Corporation: DELAWARE
Name:	Gardner-Gibson Manufacturing, Inc.
Street Address:	4161 E. 7th Avenue
City:	Tampa
State/Country:	FLORIDA
Postal Code:	33605
Entity Type:	Corporation: DELAWARE

PROPERTY NUMBERS Total: 56

Property Type	Number	Word Mark
Serial Number:	75787221	LEAK STOPPER
Serial Number:	75787220	LEAK STOPPER
Serial Number:	75192371	AQUA-TEC
Registration Number:	2097027	PRE-KOTE XL REFLECTIVE COATING PRIMER/SE
Serial Number:	75422983	FENCE-POST
Registration Number:	2152462	STA-KOOL
Registration Number:	2176513	STA-KOOL
Registration Number:	0740474	STA-KOOL
Registration Number:	2153781	SYSTEM GOLD
Serial Number:	75313262	ALL-PRO
Registration Number:	2117488	PROLASTIC
Serial Number:	75470174	QUICK SILVER

TRADEMARK

Property Type	Number	Word Mark
Registration Number:	2061369	SUNBRITE
Serial Number:	74413475	ULTRA SEAL
Registration Number:	1816886	REPAVE
Registration Number:	2778895	PRO-GEL
Registration Number:	2549431	SUNWHITE
Registration Number:	2485129	SUNWHITE
Registration Number:	1695646	ALL IN ONE
Registration Number:	0949618	BLACK-JACK
Registration Number:	1721272	BLACK-JACK
Registration Number:	2038318	BLACK JACK NEVER A GAMBLE
Registration Number:	1899472	BORDER BUDDY
Registration Number:	0742569	BUTYLOID
Registration Number:	0726149	ETERNAFLEX
Registration Number:	1735908	E-Z SEAL
Registration Number:	1792283	E-Z SEAL
Registration Number:	1786049	E-Z-S-Q-U-E-E-Z-E
Registration Number:	2016001	GIBSON-HOMANS PRO'S CHOICE
Registration Number:	1756323	GIBSON-HOMANS ROOF PROOF
Registration Number:	1586775	GIBSON-HOMANS ROOF TITE
Registration Number:	0698810	HANDI-GARD
Registration Number:	0854853	KED
Registration Number:	1859384	ROOF PROOF
Registration Number:	1909299	SHUR-SHIELD
Registration Number:	1210146	SHUR-STIK
Registration Number:	1756297	SHUR-STIK
Registration Number:	1797010	SHUR-STIK PERMANENT PATCH
Registration Number:	1926463	SPEEDWAY GRADE
Registration Number:	1652423	SUPER-FLASH
Registration Number:	1899471	WALLPAPER PAL
Registration Number:	2062500	ACRYLIC ONE
Registration Number:	1821339	DYNAMITE
Registration Number:	2076715	ELASTOMERIC ONE
Registration Number:	1981599	FIREPOWER
Registration Number:	2170165	FIRST ACRYLIC
Registration Number:	2160803	FIRST COLORS
Registration Number:	1971859	FLASHPOINT
Registration Number:	2004663	HOT SHOT
Registration Number:	1887909	MARKSMAN

Property Type	Number	Word Mark
Registration Number:	1997620	PAINTER'S X-TRA
Registration Number:	2014539	PRO STOCK
Registration Number:	2046352	QUICK DRAW
Registration Number:	1981598	SURE SHOT
Registration Number:	2232898	EXTREME
Registration Number:	2256063	SHOCKWAVE

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: 3128628738
Email: michelle.nowicki@kirkland.com
Correspondent Name: Michelle Nowicki
Address Line 1: 300 N. LaSalle
Address Line 2: Kirkland & Ellis LLP
Address Line 4: Chicago, ILLINOIS 60654

ATTORNEY DOCKET NUMBER:	24776-7
NAME OF SUBMITTER:	Michelle Nowicki
SIGNATURE:	/Michelle Nowicki/
DATE SIGNED:	12/29/2020

Total Attachments: 5
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**TERMINATION AND RELEASE OF AMENDED AND RESTATED TRADEMARK
COLLATERAL AGREEMENTS**

THIS TERMINATION AND RELEASE OF AMENDED AND RESTATED TRADEMARK COLLATERAL AGREEMENTS (this "Termination"), is dated as of December 29, 2020, and made by BMO Harris Bank N.A., a national banking association ("Agent") to Gardner Asphalt Corporation, a Delaware corporation and Gardner-Gibson Manufacturing, Inc., a Delaware corporation ("Debtors").

WHEREAS, reference is made to (i) certain Amended and Restated Security Agreement, dated as of July 28, 2014 (as amended, the "Security Agreement"), among Debtors, the guarantors party thereto, the financial institutions listed on the signature pages thereof as Lenders, and (ii) the other Loan Documents (as defined in the Security Agreement) and all guaranties, mortgages, subordination agreements, intercreditor agreements, pledge agreements, blocked account agreements, notes and other documents and instruments relating thereto (together with the Security Agreement, collectively, the "Credit Documents");

WHEREAS, pursuant to certain Trademark Collateral Agreement dated as of July 28, 2014, made by Debtors in favor of Agent (collectively, the "Collateral Agreements"), security interests were granted by Debtors to Agent in the trademarks, trademark registrations and trademark applications, which included the Trademarks (as hereinafter defined);

WHEREAS, the Collateral Agreements were recorded with the United States Patent and Trademark Office on February 13, 2008 in Reel 003718 and Frame 0887 and Reel 003718 Frame 0895.

WHEREAS, Debtor has paid all its outstanding Obligations to Agent under the Credit Documents; and

WHEREAS, Agent now desires to terminate and release the Collateral Agreements;

NOW, THEREFORE, for good and valuable consideration including the satisfaction of all obligations, indebtedness and liabilities secured pursuant to the Collateral Agreements, the receipt and adequacy of which are hereby acknowledged, and upon the terms set forth in this Termination, Agent hereby states as follows:

1. Definitions. The term "Trademarks", as used herein, shall mean all of the Debtor's right, title and interest of every kind and nature as of the date hereof in the trademarks listed on Schedule A hereto.
2. Release of Security Interest. Agent hereby terminates the Collateral Agreements and terminates, releases and discharges its security interest in the Trademark Collateral and reassigns to the person or persons legally entitled thereto all right, title and interest that Agent may have in the Trademark Collateral.
3. Representations and Warranties. Agent represents and warrants that: (i) it has the full power and authority to execute this Termination; and (ii) it has not assigned, transferred, restricted or otherwise encumbered its rights under the Collateral Agreements.
4. Further Assurances. Agent hereby agrees to duly execute, acknowledge, procure and deliver any further documents and to do such other acts as may be reasonably necessary to effect the release contemplated hereby.

5. Governing Law. This Termination and the rights and obligations of the parties hereto shall be governed by, and construed and interpreted in accordance with, the law of the State of Illinois.

IN WITNESS WHEREOF, the Agent has caused this Termination to be executed by its duly authorized officer as of the date first written above.

BMO HARRIS BANK N.A., as Agent

By: 
Name: James Bucara
Title: Director

[Signature Page to Termination and Release of Trademark Collateral Agreement]

SCHEDULE A
TO TERMINATION AND RELEASE OF OF AMENDED AND RESTATED TRADEMARK
COLLATERAL AGREEMENTS

DESCRIPTION	REGISTRATION#
Leak Stopper™	75/787,221
Leak Stopper™	75/787,220
Aqua Tee™	75/192,371
PRE-KOTE XL REFLECTIVE COATING PRIMER/SEALER and Design®	2,097,027
Fence Post™	75/422,983
STA-KOOL and Design®	2,152,462
STA-KOOL and Design®	2,176,513
STA-KOOL®	740,474
System Gold™	2,153,781
All-Pro™	75/313,262
Pro-Lastic®	2,117,488
Quick Silver™	75,470,174
Sunbrite™	2,061,369
Ultra-Seal™	74/413,475
RePave™ and Repave®	1816886
Pro-Gel™	2778895
Sunwhite™	2549431
Sunwhite	2485129

Description	Registration
All In One	1,695,646
Black-Jack	949,618
Black-Jack	1,721,27k2
Black-Jack...Never A Gamble	2,038,318
Border Buddy	1,899,472
Butyloid	742,569
Eternaflex	726,149
E-Z Seal	1,735,908
E-Z Seal	1,792,283
E-Z-S-Q-U-E-E-Z-E	1,786,049
Gibson-Homans Pro's Choice	2,016,001
Gibson-Homans Roof Proof	1,756,323
Gibson-Homans Roof Tile	1,586,775
Randi-Gard	698,810
KED	854,853
Roof Proof	1,859,384
Shur-Shield	1,909,299
Shur-Stik	1,210,146
Shur-Stik	1,756,297
Shur-Stik Permanent Patch	1,797,010
Speedway Grade	1,926,463
Super-Flash	1,652,423
Wallpaper Pal	1,899,471
Acrylic One	2,062,500
Dynamite	1,821,339
Elastomeric One	2,0786,715
FirePower	1,981,599
First Acrylic	2,170,165
First Colors	2,160,803
Flashpoint	1,971,859
Hot Shot	2,004,663
Marksman	1,887,909
Painter's X-Tra	1,997,620
Pro Stock	2,014,539
Quick Draw	2,046,352
Sure Shot	1,981,598
Extreme	2,232,898
Shockwave	2,256,063