

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM782487

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|------------------------------|------------------------------|
| SUBMISSION TYPE: | RESUBMISSION |
| NATURE OF CONVEYANCE: | RELEASE OF SECURITY INTEREST |
| RESUBMIT DOCUMENT ID: | 900737137 |

CONVEYING PARTY DATA

| Name | Formerly | Execution Date | Entity Type |
|---|----------|----------------|--------------|
| TGIB Marketing Inc. d/b/a Rock Bottom Golf | | 11/16/2022 | Corporation: |

RECEIVING PARTY DATA

| | |
|------------------------|-------------------------------|
| Name: | M&T BANK |
| Street Address: | One Fountain Plaza, 3rd Floor |
| City: | Buffalo |
| State/Country: | NEW YORK |
| Postal Code: | 14203 |
| Entity Type: | Corporation: NEW YORK |

PROPERTY NUMBERS Total: 13

| Property Type | Number | Word Mark |
|----------------------|---------|------------------|
| Registration Number: | 6262193 | ALIEN GOLF |
| Registration Number: | 5496715 | ROCK BOTTOM GOLF |
| Registration Number: | 4927457 | BULLET |
| Registration Number: | 4337030 | BLUE GOOSE |
| Registration Number: | 4239031 | RAY COOK |
| Registration Number: | 4150174 | SILVER RAY |
| Registration Number: | 4553095 | HOT-Z |
| Registration Number: | 4534313 | EXTREME AIM |
| Registration Number: | 4423005 | MANTA RAY |
| Registration Number: | 4423004 | TUNNEL VISION |
| Registration Number: | 4150165 | BILLY BAROO |
| Registration Number: | 3437513 | SOLUS |
| Registration Number: | 2825025 | ROCK BOTTOM GOLF |

CORRESPONDENCE DATA

Fax Number: 3154229331

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: 3152142027
Email: kpurdy@harrisbeach.com
Correspondent Name: Kimberly Purdy
Address Line 1: Harris Beach, PLLC
Address Line 2: 333 West Washington Street, Suite 200
Address Line 4: Syracuse, NEW YORK 13202

ATTORNEY DOCKET NUMBER: 319919

NAME OF SUBMITTER: Laura Smalley

SIGNATURE: /Laura Smalley/

DATE SIGNED: 01/25/2023

Total Attachments: 3

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RELEASE OF TRADEMARK SECURITY INTEREST

This **RELEASE OF TRADEMARK SECURITY INTEREST** ("**Release**") is made and is effective as of November 16, 2022 and granted by M&T BANK ("**Secured Party**"), in favor of TGIB MARKETING, INC. d/b/a Rock Bottom Golf (the "**Debtor**"), and their successors, assigns and legal representatives.

WHEREAS, pursuant to that certain Specific Security Agreement executed February 16, 2018 (the "**Agreement**") between the **Secured Party** and **Debtor**, the **Debtor** pledged and granted to the **Secured Party** a security interest in and to all of the right, title and interest of such **Debtor** in, to and under the **Collateral** (as defined below);

WHEREAS, the **Debtor** has requested that the **Secured Party** enter into this Release in order to effectuate, evidence and record the release and reassignment to the **Debtor** of any and all right, title and interest the **Secured Party** may have in the **Collateral** pursuant to the **Agreement**.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **Secured Party** hereby states as follows:

1. **Release of Security Interest.** The **Secured Party**, its successors, legal representatives and assigns, hereby terminates, releases and discharges any and all security interests that it has in any **Collateral**, and reassigns to the **Debtor** any and all right, title and interest that it may have, in, to and under the following (collectively, the "**Collateral**");

- (a) The trademarks listed on Exhibit A to the **Agreement** and made a part thereof and listed on Schedule A attached to this **Release** including (A) renewals thereof, (B) all income, royalties, damages and payments now and hereafter due and/or payable with respect thereto, including, without limitation, damages and payment for past or future infringements thereof, (C) the right to sue for past, present and future infringements thereof, and (D) all rights corresponding thereto throughout the world;
- (b) all general intangibles and all intangible intellectual or other similar property of the **Debtor** of any kind or nature, associated with or arising out of any of the aforementioned properties and assets; and
- (c) all proceeds of any and all of the foregoing **Collateral** (including license royalties, rights to payment, accounts receivable and proceeds of infringement suits) and, to the extent not otherwise included, all payments under insurance (whether or not **Secured Party** is the loss payee thereof) or any indemnity, warranty or guaranty payable by reason of loss or damage to or otherwise with respect to the foregoing **Collateral**.

2. **Omitted**

3. **Governing Law.** This **Release** and any claim, controversy, dispute or cause of action (whether in contract or tort or otherwise) based upon, arising out of or relating to this **Release** and

the transactions contemplated hereby shall be governed by, and construed in accordance with, the laws of the United States and the State of New York, without giving effect to any choice or conflict of law provision or rule whether of the State of New York or any other jurisdiction.

IN WITNESS WHEREOF, the Secured Party has caused this Release to be duly executed and delivered by its officer thereunto duly authorized as of the date first above written.

M&T BANK

By: [Signature]
Name: CURT PROVENZO
Title: SVP

STATE OF NEW YORK)
COUNTY OF _____)SS.
)

On the 16th day of NOVEMBER, 2022, before me personally appeared CURT PROVENZO, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the foregoing instrument, who, being duly sworn, did depose and say that he executed the same in his authorized capacity as the SVP of M&T BANK, and acknowledged the instrument to be the free act and deed of _____ for the uses and purposes mentioned in the instrument.

My Commission Expires: 11-3-23

[Signature]
Notary Public
Printed Name: Mary Ellen Hess


ACKNOWLEDGED BY:

TGIB MARKETING, INC. d/b/a Rock Bottom Golf

MARY ELLEN HESS
Notary Public, State of New York
No. 01HE6101035
Qualified in Monroe County
Commission Expires 11-03-2023

By: _____
Name:
Title:

SCHEDULE A

| Serial Number | Reg. Number | Word Mark | Filing Date | Class(es) |
|---------------|-------------|---|-------------|--|
| 87/419,780 | 6,262,193 | ALIEN GOLF | 4/21/17 | IC 028 Golf clubs |
| 87/669,245 | 5,496,715 |  | 11/2/17 | IC 035 on-line retail store services featuring a wide variety of golf-related products and equipment. |
| 86/733,318 | 4,927,457 | BULLET | 8/21/15 | IC 028 Covers for golf clubs; Divot repair tools; Golf bag covers; Golf bags; Golf balls; Golf club grips; Golf club heads; Golf club shafts; Golf clubs; Golf gloves; Golf irons; Golf putters; Golf tee markers; Golf tees; Hand grips for golf clubs; Head covers for golf clubs. |
| 85/442,381 | 4,337,030 | BLUE GOOSE | 10/7/11 | IC 028 Golf clubs |
| 85/440,781 | 4,239,031 | RAY COOK | 10/6/11 | IC 028. Golf Clubs, golf accessories, namely, ball markers, rubber tees, divot tool, iron covers, ball retriever, golf ball pick up, swing weight, putt alignment aid |
| 85/442,321 | 4,150,174 | SILVER RAY | 10/7/11 | IC 028 Golf clubs |
| 85/944,252 | 4,553,095 | HOT-Z | 5/28/13 | IC 028 Covers for golf clubs; golf bags with or without wheels; non-motorized golf carts. |
| 85/756,555 | 4,534,313 | EXTREME AIM | 10/17/12 | IC 028. Golf club covers; Golf clubs. |
| 85/756,599 | 4,423,005 | MANTA RAY | 10/17/12 | IC 028. Golf club covers; Golf clubs. |
| 85/756,586 | 4,423,004 | TUNNEL VISION | 10/17/12 | IC 028. Golf club covers; Golf clubs. |
| 85/441,689 | 4,150,165 | BILLY BAROO | 10/7/11 | IC 028 Golf clubs |
| 78/308,679 | 3,437,513 | SOLUS | 10/02/03 | IC 028 Golf equipment, namely, clubs |
| 78/172,841 | 2,825,025 | ROCK BOTTOM GOLF | 10/10/02 | IC 035 Retail store services featuring golf equipment; on-line retail store services featuring golf equipment. |

TRADEMARK