# OP \$165,00 033632

### TRADEMARK ASSIGNMENT

# Electronic Version v1.1 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	RELEASE BY SECURED PARTY

### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Fifth Third Bancorp		10/20/2010	CORPORATION: OHIO

### **RECEIVING PARTY DATA**

Name:	Baldwin Piano, Inc.
Street Address:	309 Plus Park Blvd.
City:	Nashville
State/Country:	TENNESSEE
Postal Code:	37217
Entity Type:	CORPORATION: DELAWARE

PROPERTY NUMBERS Total: 6

Property Type	Number	Word Mark
Registration Number:	0336329	ACROSONIC
Registration Number:	0020903	BALDWIN.
Registration Number:	0442961	BALDWIN
Registration Number:	0046059	BALDWIN
Registration Number:	0047072	HAMILTON
Registration Number:	0046993	HOWARD.

### **CORRESPONDENCE DATA**

Fax Number: (866)701-0404

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Email: jsteed@bates-bates.com

Correspondent Name: Joanna Steed

Address Line 1: 964 DeKalb Avenue, Suite 101
Address Line 4: Atlanta, GEORGIA 30307

NAME OF SUBMITTER: Jason Cox

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REEL: 004411 FRAME: 0006

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Signature:	/jason cox/
Date:	11/08/2010
Total Attachments: 6 source=Fith Third Lien Release#page1.tif source=Fith Third Lien Release#page2.tif source=Fith Third Lien Release#page3.tif source=Fith Third Lien Release#page4.tif source=Fith Third Lien Release#page5.tif source=Fith Third Lien Release#page6.tif	

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October 15, 2010

Michael A. Boswell, Esq. Bates & Bates 964 DeKalb Ave. Suite 101 Atlanta, GA 30307

Re:

Baldwin Plano, Fifth Third Bank Release of Security Agreement

Dear Mr. Boswell:

Enclosed please find the executed Release of Security Interest signed by Robert C. Ries, Senior Vice President, on behalf of Fifth Third Bank.

Please feel free to contact me with any questions or concerns.

Thank you,

Shelly Nelson Executive Assistant Fifth Third Bank 513-579-5427



### VIA US Mail

THE FIFTH THIRD BANK
Attention: Commercial Loan Department
38 Fountain Square Plaza
Cincinnati, Ohio 45263

October 6, 2010

Re: Bal

Baldwin Piano, Fifth Third Bank Release of Security Agreement

Dear Sir or Madam:

This office represents Gibson Guitar Corp., and we are attempting to assist them in securing a release from Fifth Third Bank related to a commercial loan. Gibson Guitar Corp. is the successor-in-interest to Baldwin Piano, Inc. We understand that Fifth Third Bank and Baldwin Piano entered into a commercial loan that included a security agreement. The security agreement is understood to have conveyed security interests to certain items of intellectual property from Baldwin Piano to Fifth Third Bank.

We believe that the agreement has been paid in full and are seeking to obtain the release. However, the problem that we have found is a lack of specific information about the particular loan. We do not have a specific loan number for the agreement. However, we do know the approximate date of the agreement as being June 15, 1989. This information was located at the United States Patent and Trademark Office. We have also conducted and extensive search of UCC filings across the United States, and have obtained numerous filings made by Fifth Third that appear to be near the June 15, 1989 date. We thought that perhaps for this initial letter, the filing in Ohio might be sufficient. However, we can provide you with more information on the other states' UCC filings if you believe that might be helpful.

Michael A. Boswell
Of Counsel
964 DeKalb Ave. Suite 101
Atlanta, GA. 30307
mboswell@bates-bates.com
562.360.2097

FIFTH THIRD BANK October 6, 2010 Page 2

For Ohio, we located an original filing on July 6, 1989, with a filing number of AB19661. We also located a partial release on November 8, 1990, with a filing number of 993353, and an amendment of the same date, filing number 993353.

We are hopeful that with this information you can locate the relevant file and determine if a release was ever completed by Fifth Third Bank. If so we would request a copy. If you determine that a release was not completed, we have taken the liberty of enclosing a release for your review.

Thank you for any assistance you can provide, it is greatly appreciated. If you have any questions, or would like us to provide additional information about the UCC filings in the other states, please feel free to contact the undersigned.

Cordially,

Michael A. Boswell, Esq

Enc.

ce: Gibson Guitar Corp. (w/out enc.)

## RELEASE OF SECURITY INTEREST

This Release of Security Interest ("Release Agreement") is made and entered into as of the \_\_\_\_ day of August, 2010, by and between Baldwin Piano, Inc. (successor in interest to Baldwin Piano and Organ Company) ("Baldwin") and Fifth Third Bank ("FTB").

WHEREAS, Baldwin Piano and Organ Company conveyed a security interest in and to the intellectual property listed on <u>Exhibit A</u> ("IP") to FTB on June 15, 1989, pursuant to a Security Agreement ("Agreement");

WHEREAS, Baldwin Piano and Organ Company assigned its interests in and to the IP to Baldwin Piano Inc.;

WHEREAS, as the payment and performance under the Agreement have been met, PSB now desires to release its security interest in and to the IP.

NOW, THEREFORE, for and in consideration of the foregoing, the mutual benefits to be received by the parties hereto, and the covenants and agreements contained herein, the parties agree to the following:

- 1. Release of Agent's Security Interests. FTB hereby releases and discharges any security interest in and to the IP and hereby waives any and all claims or interest it has or might have in and with respect to the IP. FTB further acknowledges and understands that it has no interest of any kind or character, security or otherwise, in the IP or the proceeds therefrom.
- 2. Representation and Warranty. FTB represents and warrants that it has the power and authority to execute and perform under this Release Agreement. Baldwin represents and warrants that it has the power and authority to execute and perform under this Release Agreement.
- 3. <u>Miscellaneous</u>. This Agreement represents the complete understanding of the parties and supersedes any prior or contemporaneous agreement regarding the IP.

CHI:2294603.2

AGREED:

Baldwin PianoyInc.

By:

Name: Bruce A Mitchell Title: ENP and General Counsel

Date: 10/20/10

Fifth Third Benky

By:

Name:

Title:

Robert C. 1214's Senson, U. Le Prosident

Date:

CHI;2294603,2

# Exhibit A

ACROSONIC	(US Reg. No.	0336329)
BALDWIN	(US Reg. No.	0020903)
BALDWIN	(US Reg. No.	0442961)
BALDWIN	(US Reg. No.	0046059)
HAMILTON	(US Reg. No.	0047072)
HOWARD	(US Reg. No.	0046993)

CHI:2294603.2

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**RECORDED: 11/08/2010**