# 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
COMERICA BANK		03/07/2011	Texas banking association:

# RECEIVING PARTY DATA

Name:	NEWGISTICS, INC.
Street Address:	2700 Via Fortuna
Internal Address:	Suite 300
City:	Austin
State/Country:	TEXAS
Postal Code:	78746
Entity Type:	CORPORATION: DELAWARE

# PROPERTY NUMBERS Total: 14

Property Type	Number	Word Mark
Serial Number:	76013007	BUY IT ANYWHERE RETURN IT HERE
Serial Number:	76013008	ONE CLICK RETURNS
Serial Number:	76013009	IRETURNIT
Serial Number:	76115544	PACKAGEVALET
Serial Number:	76391008	EXPRESSVALUE
Serial Number:	78771666	RETURNCART
Registration Number:	2985436	RETURNS AREN'T JUST BOXES. THEY'RE CUSTOMERS.
Serial Number:	78434799	RETURNS MARKETING
Registration Number:	2961332	INTELLIGENT RETURNS MANAGEMENT
Registration Number:	3016417	ADVANCED RETURN NOTIFICATION
Registration Number:	2801048	SMARTLABEL
Registration Number:	2808995	RETURNVALET
Registration Number:	2776146	NEWGISTICS
		TRADEMARK

**REEL: 004495 FRAME: 0758** 

78280113 SMARTLABEL Serial Number: **CORRESPONDENCE DATA** Fax Number: (858)550-6420 Correspondence will be sent via US Mail when the fax attempt is unsuccessful. 858-550-6403 Phone: Email: erin.obrien@cooley.com Correspondent Name: Erin O'Brien Address Line 1: c/o Cooley LLP Address Line 2: 4401 Eastgate Mall Address Line 4: San Diego, CALIFORNIA 92121

ATTORNEY DOCKET NUMBER:	036703-1281 NEWGISTICS
NAME OF SUBMITTER:	Erin O'Brien
Signature:	/Erin O'Brien/
Date:	03/10/2011

**Total Attachments: 3** 

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> TRADEMARK REEL: 004495 FRAME: 0759

#### RELEASE OF SECURITY INTEREST

This Release of Security Interest is made as of March 7, 2011, by COMERICA BANK, a Texas banking association ("Lender") in favor of NEWGISTICS, INC., a Delaware corporation ("Company") with its principal place of business located at 2700 Via Fortuna, Suite 300, Austin, TX 78746.

#### Recital

WHEREAS Company granted to Imperial Bank, predecessor in interest to Lender, a security interest in certain of the trademarks described on Exhibit A attached hereto under the terms of a security agreement dated as of May 15, 2000, and a security agreement dated as of December 28, 2000, (collectively, the "Prior Security Agreements") which were recorded with the US Patent and Trademark Office as set forth on Exhibit A.

WHEREAS Company additionally granted to Lender a security interest in the patents and certain of the trademarks described on Exhibits A and B attached hereto (collectively, the "Intellectual Property") under the terms of a Second Amended and Restated Intellectual Property Security Agreement dated as of February 14, 2006 (the "Existing Security Agreement") which was recorded with the US Patent and Trademark Office as set forth on Exhibits A and B.

WHEREAS Company and Lender are entering into a Fourth Amended and Restated Loan and Security Agreement (the "Loan Agreement"). Under and subject to the terms of the Loan Agreement, the Collateral as defined therein is being amended to delete intellectual property.

#### Agreement

Now therefore, Lender agrees that it terminates and releases its security interest in the Intellectual Property and reassigns to Company, without warranty or recourse, all interest of Lender in the Intellectual Property.

LENDER:

COMERICA BANK, successor in interest to Imperial Bank

Name:

Title:

m/c 7512

39200 Six Mile Road

Livonia, MI 48152

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### EXHIBIT A

### **PATENTS**

Description	Patent Application No./Issued Patent No.	File/Issue <u>Date</u>
Method and system for processing the local return of remotely purchased products	20010032147	02/29/2000
System and method for single-action returns of remotely purchased merchandise	20010047315	03/24/2000
Local returns of remotely purchased merchandise with return code validation	20020178076	05/24/2001
Method and system using return labels with dynamically generated multiple datapoint coding	20040193436	02/10/2003
Merchandise return system with value added returns processing (data communications)	20040181310	10/30/2003
Merchandise return system with value added returns processing (dispositioning)	20040193438	02/10/2003
Reverse manifesting by returns service provider	20040194056	02/10/2003
Return centers with rules-based dispositioning of merchandise	20050137901	02/29/2000
On-line rules-based return processing	20040143518	03/26/2001
On-line merchandise return labels	20040143519	03/24/2000
Computer generated merchandise return labels with rules-based coding	20040215531	02/10/2003
Facilitating returns of merchandise purchased from other sources	6536659	10/15/2000
System and method for the customized processing of returned merchandise	20060149577	01/25/05

Lender's security interest recorded at the US Patent and Trademark Office on March 7, 2006 at Reel Number 017262 and Frame Number 0541; on March 8, 2006 at Reel Number 017262 and Frame Number 0958; and on September 10, 2007 at Reel Number 019804 and Frame Number 0817.

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### **EXHIBIT B**

### **Trademarks**

Description	Registration/ Serial Number	Registration/ Application <u>Date</u>
Buy it anywhere. Return it here.	76/013,007	03/30/00
One click returns.	76/013,008	03/30/00
Ireturnit	76/013,009	03/30/00
Package Valet	76/115,544	08/23/00
ExpressValue	76/391,008	04/03/02
Returncart	78/771,666	12/12/2005
Returns aren't just boxes. They're customers.	2,985,436	08/16/2005
Returns Marketing	78/434,799	06/14/2004
Intelligent Returns Management	2,961,332	06/07/2005
Advanced Return Notification	3,016,417	11/15/2005
SmartLabel	2,801,048	12/30/03
ReturnValet	2,808,995	01/27/04
Newgistics	2,776,146	10/21/03
SmartLabel	78/280,113	07/29/03

With respect to the Prior Security Agreements: Lender's security interest recorded at the US Patent and Trademark Office on November 30, 2000 at Reel Number 2184 and Frame Number 0915; on January 11, 2001 at Reel Number 2209 and Frame Number 0876; and on May 28, 2002 at Reel Number 2513 and Frame Number 0602

With respect to the Existing Security Agreement: Lender's security interest recorded at the US Patent and Trademark Office on March 7, 2006 at Reel Number 3262 and Frame Number 0171; and on March 8, 2006 at Reel Number 3263 and Frame Number 0001.

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