

TRADEMARK ASSIGNMENT

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	Release of Security Interest in Intellectual Property

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
WELLS FARGO BANK, N.A., as Collateral Agent		01/04/2013	national association: UNITED STATES

RECEIVING PARTY DATA

Name:	EASTERN MOUNTAIN SPORTS LLC
Street Address:	1 Vose Farm Road
City:	Peterborough
State/Country:	NEW HAMPSHIRE
Postal Code:	03458
Entity Type:	LIMITED LIABILITY COMPANY: DELAWARE

Name:	EMS ACQUISITION LLC
Street Address:	1 Vose Farm Road
City:	Peterborough
State/Country:	NEW HAMPSHIRE
Postal Code:	03458
Entity Type:	LIMITED LIABILITY COMPANY: DELAWARE

PROPERTY NUMBERS Total: 3

Property Type	Number	Word Mark
Registration Number:	3901911	NOR'EASTER POWERED BY EASTERN MOUNTAIN SPORTS
Registration Number:	3901910	NOR'EASTER POWERED BY EASTERN MOUNTAIN SPORTS
Serial Number:	85581267	SYSTEM3

CORRESPONDENCE DATA

Fax Number: 6178568201  
*Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.*  
 Phone: 617-856-8145

CH \$90.00 3901911

Email: ip@brownrudnick.com  
Correspondent Name: Mark S. Leonardo  
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Address Line 2: Brown Rudnick LLP  
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ATTORNEY DOCKET NUMBER:	23595/60
NAME OF SUBMITTER:	Mark S. Leonardo
Signature:	/Mark S. Leonardo/
Date:	01/08/2013

**Total Attachments: 7**

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**RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, WELLS FARGO BANK, NATIONAL ASSOCIATION (successor by merger to Wells Fargo Retail Finance, LLC) (the "Secured Party"), does hereby certify that (i) the security interest it holds in certain trademarks, trademark applications, patents, patent applications, copyrights and copyright applications of EASTERN MOUNTAIN SPORTS LLC, a Delaware limited liability company ("EMS") and EMS ACQUISITION LLC, a Delaware limited liability company, which has been converted from EMS Acquisition Corp. pursuant to Section 266 of Delaware General Corporation Law ("Financing" and collectively, the "Debtors" and each individually, a "Debtor"), pursuant to that certain Intellectual Property Security Agreement dated as of July 28, 2009, recorded in the USPTO at Reel 023044, Frame 0076 and Reel 004036, Frame 0829 and recorded in the USCO at Volume 3582, Document No. 578 and Volume 3582, Document No. 193 (the "IP Security Agreement"), which trademarks, trademark applications, patents, patent applications, copyright and copyright applications are more fully identified on Schedule A annexed hereto and made a part hereof, and (ii) the security interest the Secured Party holds in certain trademarks and trademark applications of Debtors, pursuant to that certain First Amendment to Intellectual Property Security Agreement (the "First Amendment to IP Security Agreement"), recorded in the USPTO at Reel 4909, Frame 0527, which trademarks and trademark applications are more fully identified on Schedule B annexed hereto and made a part hereof (the security interests described in (i) and (ii), together with any and all security interests granted to the Secured Party in any other intellectual property pursuant to the IP Security Agreement and/or the First Amendment to IP Security Agreement, collectively, the "Security Interest"). Secured Party hereby terminates, releases and discharges fully its lien on, and security interest in and to, all of the right, title and interest of Secured Party in, to and under all property that is the subject of and/or encumbered by the Security Interests and reassigns and transfers any and all interest that Secured Party may have in such property to the Debtor, in each case, without representation or warranty of any kind, nature or description.

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IN WITNESS WHEREOF, Secured Party has caused this Release of Security Interest in Trademarks to be executed by its duly authorized corporate officer this 4<sup>th</sup> day of January, 2013.

WELLS FARGO BANK, NATIONAL ASSOCIATION

By:   
Name: Emily Abraham  
Title: Vice President

**SCHEDULE A**

Debtors' now owned or existing or hereafter acquired or arising registered service marks and Federal service mark applications, registered trademarks, and Federal trade mark applications:

LIST OF TRADEMARKS AND TRADEMARK APPLICATIONS

UNITED STATES

<u>Trademark</u>	<u>Registration Number</u>	<u>Registration Date</u>	<u>Renewal Date</u>
BERGELENE	1,786,203	August 3, 1993	August 3, 2013
BLUE PIZZA	3,280,960	August 14, 2007	August 14, 2017
EASTERN MOUNTAIN SPORTS	1,398,955	June 24, 1986	June 24, 2016
EASTERN MOUNTAIN SPORTS	1,996,475	August 27, 1996	August 27, 2016
EASTERN MOUNTAIN SPORTS & Design of Mountain and Sun	3,011,752	November 1, 2005	November 1, 2015
EMS	2,065,313	May 27, 1997	May 27, 2017
EMS	2,117,180	December 2, 1997	December 2, 2017
EMS & Design of Mountain and Sun	2,952,447	May 17, 2005	May 17, 2015
EMS & Ice Axe Design	1,010,768	May 13, 1975	May 13, 2015
estrn mntn sprts & Design	3,514,259	October 7, 2008	October 7, 2018
estrn mntn sprts EASTERN MOUNTAIN SPORTS	3,510,068	September 30, 2008	September 30, 2018
Mountain & Sun Logo	2,952,448	May 17, 2005	May 17, 2015
STAY PUT STAY DRY & Design	3,268,768	July 24, 2007	July 24, 2017
TECHWICK	2,832,531	April 13, 2004	April 13, 2014
TECHWICK	3,015,917	November 15, 2005	November 15, 2015
WATERSLIDE	3,015,996	November 15, 2005	November 15, 2015
WE MAKE WEATHER NERVOUS	3,228,322	April 10, 2007	April 10, 2017

UNITED STATES

<u>Trademark Application</u>	<u>Application/Serial Number</u>	<u>Application Date</u>	<u>Status</u>
nor'easter powered by Eastern Mountain Sports & Design	77/491,019	June 4, 2008	Minor technical objections by examiner
STAY PUT. STAY DRY (New Logo)	77/090,866	January 25, 2007	Approval by Examiner. We await client's report

			on status of mark.
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LIST OF PATENTS AND PATENT APPLICATIONS

<u>Patent</u>	<u>Registration Number</u>	<u>Issue Date</u>	<u>Expiration Date</u>
Combination backpack and hydration pack	6,422,439	July 23, 2002	February 8, 2021

LIST OF COPYRIGHTS AND COPYRIGHT APPLICATIONS

<u>Copyright</u>	<u>Full Title</u>	<u>Registration Number</u>	<u>Registration Date</u>
Eastern Mountain Sports, Inc. Ziegler, Katy	Ski touring guide to New England / edited by Katy Ziegler.	TX0000454201	1979
Eastern Mountain Sports, Inc.	[Eastern Mountain Sports' B L T flyer]	TX0000830578	1981
Eastern Mountain Sports, Inc. Furst, Roger	EMS : catalog / Eastern Mountain Sports, Inc. ; editor, Roger Furst ... et al.	CSN0016156	1979
Eastern Mountain Sports, Inc. Furst, Roger	EMS. : catalog / Eastern Mountain Sports, Inc. ; editor, Roger Furst ... et al.	CSN0020688	1979
Eastern Mountain Sports, Inc. Furst, Roger	EMS : catalog / Eastern Mountain Sports, Inc. ; editor, Roger Furst ... et al.	CSN0016156	1978
Eastern Mountain Sports, Inc. EMS	EMS. : catalog / Eastern Mountain Sports, Inc. ; [written by the people at E M S].	CSN0020688	1982

Eastern Mountain Sports, Inc. EMS	EMS. : catalog / Eastern Mountain Sports, Inc. ; [written by the people at E M S].	CSN0020688	1981
Eastern Mountain Sports, Inc. EMS	EMS. : catalog / Eastern Mountain Sports, Inc. ; [written by the people at E M S].	CSN0020688	1980
Eastern Mountain Sports, Inc. EMS Acquisition Corporation EMS Holdings, LLC Comerica Bank (Detroit)]	EMS: catalog (spring-summer 1978) & 14 other titles.*	V3520D651	2005
Eastern Mountain Sports, Inc.	The EMS holiday gift guide : \$5. discount coupon inside.	TX0000813912	1981
Eastern Mountain Sports, Inc.	The EMS holiday gift guide : our most popular parka and no wonder!	TX0000813911	1981

\*Titles listed in V3520D651:

<u>Title</u>	<u>Copyright Number</u>
EMS: catalog (spring-summer 1978)	TX 202-011
EMS: catalog (fall 1978)	TX 203-825
EMS: catalog (spring-summer 1979)	TX 302-579
EMS: catalog (fall-winter 1979)	TX 320-332
EMS: catalog (spring-summer 1980)	TX 431-665
EMS: catalog (fall-winter 1980-81)	TX 555-951
EMS: catalog (winter 1980-81)	TX 543-951
EMS: catalog (winter 1980-81)	TX 546-313

EMS: catalog (fall 1981)	TX 809-731
EMS: catalog (spring-summer 1982)	TX 874-323
EMS: catalog (summer 1982)	TX 928-371
Eastern Mountain Sports' BLT flyer	TX 830-578
Ski touring guide to New England	TX 454-201
The EMS holiday gift guide: our most popular parka and no wonder!	TX 813-911
The EMS holiday [(sic)] gift guide: \$5. discount coupon inside	TX 813-912



**SCHEDULE B**

**UNITED STATES TRADEMARKS**

<u>Trademark</u>	<u>Registration Number</u>	<u>Registration Date</u>	<u>Renewal Date</u>
NOR'EASTER POWERED BY EASTERN MOUNTAIN SPORTS	3901911	January 4, 2011	January 4, 2021
NOR'EASTER POWERED BY EASTERN MOUNTAIN SPORTS	3901910	January 4, 2011	January 4, 2021

**UNITED STATES TRADEMARK APPLICATIONS**

<u>Trademark Application</u>	<u>Application Number</u>	<u>Application Date</u>	<u>Status</u>
SYSTEM3	85581267	March 27, 2012	Pending