

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM316716

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|---|--|-----------------------|-------------------------------------|
| SUBMISSION TYPE: | NEW ASSIGNMENT | | |
| NATURE OF CONVEYANCE: | ASSIGNMENT OF THE ENTIRE INTEREST AND THE GOODWILL | | |
| CONVEYING PARTY DATA | | | |
| Name | Formerly | Execution Date | Entity Type |
| Powered By Peak, LLC | FORMERLY eLeMeNtek LLC, d/b/a PeakColo | 07/01/2014 | LIMITED LIABILITY COMPANY: COLORADO |
| RECEIVING PARTY DATA | | | |
| Name: | Peak 10, Inc. | | |
| Street Address: | 8809 Lenox Pointe Drive, Suite G | | |
| City: | Charlotte | | |
| State/Country: | NORTH CAROLINA | | |
| Postal Code: | 28273 | | |
| Entity Type: | CORPORATION: DELAWARE | | |
| PROPERTY NUMBERS Total: 7 | | | |
| Property Type | Number | Word Mark | |
| Serial Number: | 85833002 | POWERED BY PEAK | |
| Serial Number: | 85832986 | PEAK POWERED | |
| Serial Number: | 85832953 | PEAK | |
| Serial Number: | 85832946 | PEAK | |
| Serial Number: | 85832840 | PEAKCOLO | |
| Serial Number: | 85832814 | PEAKCOLO | |
| Serial Number: | 85280484 | PEAKCOLO | |
| CORRESPONDENCE DATA | | | |
| Fax Number: | 4048792932 | | |
| <i>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.</i> | | | |
| Phone: | (404) 879-2432 | | |
| Email: | atltrademarks@wcsr.com | | |
| Correspondent Name: | Marcy L. Sperry | | |
| Address Line 1: | P.O. Box 7037 | | |
| Address Line 2: | Womble Carlyle Sandridge & Rice, LLP | | |
| Address Line 4: | Atlanta, GEORGIA 30357-0037 | | |
| ATTORNEY DOCKET NUMBER: | 54318.0031.6 | | |
| NAME OF SUBMITTER: | Marcy L. Sperry | | |

CH \$190.00 85833002

| | |
|---|-------------------|
| SIGNATURE: | /Marcy L. Sperry/ |
| DATE SIGNED: | 09/11/2014 |
| Total Attachments: 3 source=TM Assignment - Peak, LLC to Peak 10, Inc#page1.tif source=TM Assignment - Peak, LLC to Peak 10, Inc Exhibits A & B#page1.tif source=TM Assignment - Peak, LLC to Peak 10, Inc Exhibits A & B#page2.tif | |

EXHIBIT D

TRADEMARK ASSIGNMENT

THIS ASSIGNMENT (this "Assignment"), dated as of July 1, 2014 (the "Effective Date"), is made between Powered by Peak, LLC f/k/a eLaMeNtek LLC d/b/a PeakColo, a Colorado limited liability company with its principal place of business at 303 East 17th Avenue, Suite 1000, Denver, Colorado (the "Assignor"), and Peak 10, Inc., a Delaware corporation with its principal place of business at 8809 Lenox Pointe Drive, Suite G, Charlotte, North Carolina 28273 (the "Assignee"). Assignor and Assignee are collectively referred to as the "Parties" and individually as a "Party".

WHEREAS, Assignor is the owner of certain trademarks and Assignee desires to acquire title to such trademarks in Assignee's name;

WHEREAS, Assignor and Assignee desire to confirm of record the assignment of the trademarks and goodwill to Assignee;

NOW, THEREFORE, in consideration of the foregoing recitals, the mutual covenants and conditions contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor and Assignee hereby agree as follows:

Assignor hereby assigns to Assignee all right, title and interest in and to (i) the applications and registrations (US and/or foreign) for the mark/name PEAK depicted in *Schedule A* (ii) the peak design mark ("Peak Logo") as depicted in *Schedule B* without any limitation as to color; (iii) any intellectual property rights, including rights of priority, in the marks/names listed in (i) and (ii) above (i)-(iii) collectively, the "Marks"; and (iv) any and all goodwill of the business associated with the Marks.

IN WITNESS WHEREOF, the Parties have caused this Assignment to be duly executed by their respective authorized officers, with an Effective Date as of the date and year first above written.

ASSIGNOR:

ASSIGNEE:

Powered by Peak, LLC

Peak 10, Inc.

By: 

By: 

Name: Luke Norris

Name: Brian J. Newton

Title: CEO






Title: Chief Financial Officer

Date: 7/27/14

Date: 7/27/14

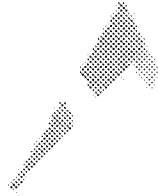
USPTO 2.17

Schedule A

| Trademark | Logo | U.S. App. No. | U.S. Reg. No. |
|--------------------------|--|---------------|---------------|
| POWERED BY PEAK & DESIGN |  | 85833002 | |
| PEAK POWERED & DESIGN |  | 85832986 | |
| PEAK | N/A | 85832953 | 4395887 |
| PEAK & DESIGN |  | 85832946 | |
| PEAKCOLO & DESIGN |  | 85832846 | |
| PEAKCOLO | N/A | 85832814 | 4395876 |
| PEAKCOLO & DESIGN |  | 85280484 | 4055938 |

Schedule B

PEAK LOGO



INSTRUMENT