

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
 Stylesheet Version v1.2

ETAS ID: TM405868

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	RELEASE OF SECURITY INTEREST		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Bank of America, N.A.		11/17/2016	National Banking Association: UNITED STATES
RECEIVING PARTY DATA			
Name:	Empire Today, LLC		
Street Address:	333 Northwest Avenue		
City:	Northlake		
State/Country:	ILLINOIS		
Postal Code:	60164		
Entity Type:	Limited Liability Company: DELAWARE		
PROPERTY NUMBERS Total: 13			
Property Type	Number	Word Mark	
Registration Number:	3925877	800-588-2300	
Registration Number:	2516389	EMPIRE	
Registration Number:	3090137	EMPIRE CARPET	
Registration Number:	3559912	EMPIRE TODAY	
Registration Number:	3329044	EMPIRE TODAY	
Registration Number:	3671527	EMPIRE TODAY EMPIRE TODAY	
Registration Number:	1666975	EMPIRE TODAY, CARPET TOMORROW	
Registration Number:	2949587	EMPIRE TODAY, WINDOWS NEXT WEEK	
Registration Number:	3917495	EMPIRETODAY.COM	
Registration Number:	3059721	NO CLOG GUTTER SYSTEMS	
Registration Number:	3064606	NO CLOG GUTTERS	
Registration Number:	3573306	VISIONS	
Serial Number:	77536929	HERITAGE	
CORRESPONDENCE DATA			
Fax Number:	3129847700		
<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:	3123722000		
Email:	cvicino@mwe.com, umattsson@mwe.com		

TRADEMARK

Correspondent Name:	Carolyn M Vicino
Address Line 1:	227 W. Monroe Street, Suite 4400
Address Line 2:	McDermott Will & Emery, LLP
Address Line 4:	Chicago, ILLINOIS 60606-5096

NAME OF SUBMITTER:	Carolyn M. Vicino
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SIGNATURE:	/Carolyn M. Vicino/
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DATE SIGNED:	11/17/2016
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Total Attachments: 5

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**TRADEMARK SECURITY AGREEMENT
NOTICE OF TERMINATION AND RELEASE**

This NOTICE OF TERMINATION AND RELEASE (this "Release") is dated as of November 17, 2016, and made by Empire Today, LLC, a Delaware Limited Liability Company (the "Grantor"), and Bank of America, N.A. (the "Agent").

WITNESSETH

WHEREAS, pursuant to that certain Loan and Security Agreement among Grantor, the lenders from time party thereto and Agent, dated as of January 31, 2011 (as amended, modified, restated and/or supplemented from time to time, the "Loan Agreement"), Grantor granted to Agent a continuing security interest in all of Grantor's right, title and interest in, to and under certain trademarks as security for certain obligations owing by Grantor to Agent, including, without limitation, the trademarks set forth on Schedule A hereto (the "Trademarks");

WHEREAS, as a condition precedent to the making of the Loans under the Loan Agreement, Grantor executed and delivered to the Agent that certain Trademark Security Agreement, dated January 31, 2011 (the "Trademark Security Agreement") and granted to Agent a continuing security interest in the Trademarks to secure all Obligations; WHEREAS, the Trademark Security Agreement was recorded with the United States Patent and Trademark Office on January 31, 2011 at Reel 004464/0391; and

WHEREAS, the Agent has agreed to terminate and release all of its security interests in the Trademarks, which Grantor had previously granted to the Agent.

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, and upon the terms set forth in this Release, the parties hereby agree as follows:

1. Incorporation of Prior Agreements. All terms capitalized but not otherwise defined herein shall have the same meanings set forth in the Loan Agreement.
2. Release of Security Interests. The Agent hereby terminates and releases all of its security interests in the Trademarks, including but not limited to, the following:
 - a. all of Agent's rights, title and interest in and to the Trademarks listed on Schedule A attached hereto;
 - b. all proceeds and products of the Trademarks;
 - c. the goodwill of the businesses with which the Trademarks are associated; and
 - d. all causes of action arising prior to or after the date hereof for infringement of any of the Trademarks or unfair competition regarding the same.

3. Further Assurances. The Agent agrees to execute further papers (including, without limitation, the execution and delivery of any and all affidavits, declarations, oaths, samples, exhibits, specimens, assignments, powers of attorney or other documentation) and to do such other acts as may be necessary or requested by the Grantor to effect the release of the security interests contemplated hereby.

* * *

IN WITNESS WHEREOF, the parties have duly executed this Release as of the above date.

**EMPIRE TODAY, LLC,
as Grantor**

By: _____

Name: Keith K. Weinberger
Title: CEO

**US BANK NATIONAL ASSOCIATION,
as Grantee**

By: _____

Name: _____
Title: _____

IN WITNESS WHEREOF, the parties have duly executed this Release as of the above date.

**EMPIRE TODAY, LLC,
as Grantor**

By: _____
Name:
Title:

**BANK OF AMERICA, N.A.,
as Agent**

By: Robert J. Lund
Name: Robert J. Lund
Title: Senior Vice President

Schedule A

TRADEMARKS

Trademark	Registration Number (Application Number)	Registration Date (Application Date)
800-588-2300	3925877	March 01, 2011
EMPIRE	2516389	December 11, 2001
EMPIRE CARPET	3090137	May 9, 2006
EMPIRE TODAY	3559912	January 13, 2009
EMPIRE TODAY & Design (Empire Man)	3329044	November 6, 2007
EMPIRE TODAY & Design (Empire Man)	3671527	August 25, 2009
EMPIRE TODAY, CARPET TOMORROW	1666975	December 3, 1991
EMPIRE TODAY, WINDOWS NEXT WEEK	2949587	May 10, 2005
EMPIRETODAY.COM	3917495	February 8, 2011
NO CLOG GUTTER SYSTEMS	3059721	February 14, 2006
NO CLOG GUTTERS	3064606	February 28, 2006
VISIONS	3573306	February 10, 2009
HERITAGE	(77/536929)	(August 1, 2008)