

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM430310

|   |                              |                       |                         |
|---|------------------------------|-----------------------|-------------------------|
| <b>SUBMISSION TYPE:</b>   | NEW ASSIGNMENT               |                       |                         |
| <b>NATURE OF CONVEYANCE:</b>  | NUNC PRO TUNC ASSIGNMENT     |                       |                         |
| <b>EFFECTIVE DATE:</b>  | 01/01/2014                   |                       |                         |
| <b>CONVEYING PARTY DATA</b>   |                              |                       |                         |
| <b>Name</b>   | <b>Formerly</b>              | <b>Execution Date</b> | <b>Entity Type</b>      |
| API Industries, Inc.  |                              | 06/07/2017            | Corporation: NEW JERSEY |
| <b>RECEIVING PARTY DATA</b>   |                              |                       |                         |
| <b>Name:</b>  | API Industries, Inc.         |                       |                         |
| <b>Street Address:</b>  | 2 Glenshaw Street            |                       |                         |
| <b>City:</b>  | Orangebrug                   |                       |                         |
| <b>State/Country:</b>   | NEW YORK                     |                       |                         |
| <b>Postal Code:</b>   | 10962                        |                       |                         |
| <b>Entity Type:</b>   | Corporation: DELAWARE        |                       |                         |
| <b>PROPERTY NUMBERS Total: 1</b>  |                              |                       |                         |
| <b>Property Type</b>  | <b>Number</b>                | <b>Word Mark</b>      |                         |
| <b>Registration Number:</b>   | 4067934                      | HARMONYX              |                         |
| <b>CORRESPONDENCE DATA</b>  |                              |                       |                         |
| <b>Fax Number:</b>  | 6465531591                   |                       |                         |
| <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> |                              |                       |                         |
| <b>Phone:</b>   | 646.553.1590                 |                       |                         |
| <b>Email:</b>   | trademark@koffskyschwalb.com |                       |                         |
| <b>Correspondent Name:</b>  | Mark I. Koffsky              |                       |                         |
| <b>Address Line 1:</b>  | 349 Fifth Avenue             |                       |                         |
| <b>Address Line 2:</b>  | Suite 733                    |                       |                         |
| <b>Address Line 4:</b>  | New York, NEW YORK 10016     |                       |                         |
| <b>NAME OF SUBMITTER:</b>   | Mark I. Koffsky              |                       |                         |
| <b>SIGNATURE:</b>   | /Mark I. Koffsky/            |                       |                         |
| <b>DATE SIGNED:</b>   | 06/07/2017                   |                       |                         |
| <b>Total Attachments: 3</b>   |                              |                       |                         |
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| source=assign#page2.tif   |                              |                       |                         |
| source=assign#page3.tif   |                              |                       |                         |

OP \$40.00 4067934

### **Nunc Pro Tunc Assignment of Trademarks**

This Nunc Pro Tunc Assignment of Trademarks is retroactively effective as of January 1, 2014.

WHEREAS, API Industries, Inc. a corporation organized and existing under the laws of New Jersey with an address at 2 Glenshaw Street, Orangeburg, NY 10962 (“Assignor”) is using certain trademarks in conjunction with its business, including but not limited to the trademarks and registrations thereof set forth in Schedule 1 attached hereto;

WHEREAS, API Industries, Inc. a corporation organized and existing under the laws of Delaware with an address at 2 Glenshaw Street, Orangeburg, NY 10962 (“Assignee”), is desirous of acquiring the entire right, title and interest in and to said trademarks, including the right to bring actions for infringement of said trademarks occurring prior to the date of this Assignment;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN, be it known that for valuable and legally sufficient consideration, the receipt and legal sufficiency of which are hereby acknowledged, the Assignor does sell, assign, and transfer to the Assignee, the Assignor's entire right, title and interest to the trademarks used in conjunction with the Assignor's business identified in Schedule 1 attached hereto, together with that part of the goodwill of the Assignor's business connected with and symbolized by said trademarks. The rights granted herein shall include the right to file, prosecute and enforce any foreign corresponding trademark application in any jurisdiction throughout the world. In addition, Assignee is hereby assigned the full right, title and interest to enforce the rights granted hereunder against any past, present and future infringer (except with respect to Assignor with respect to any past infringement) of any of the rights transferred hereunder and to collect all recovery from such enforcement.

Assignor represents and warrants to Assignee that Assignor is the owner of the trademarks and rights described above; that Assignor has the unrestricted right to make this assignment; and that Assignor has not previously assigned any of the foregoing trademarks or rights.

IN WITNESS WHEREOF, the Assignor and Assignee have caused this Assignment of Trademarks to be executed by their authorized representatives.

**API Industries, Inc. (a New Jersey corporation)**

By: DocuSigned by:  
Martin Ayrovainen  
60F93083274BC...

Name: Martin Ayrovainen

Title: VP-CFO

Date: June 7, 2017

**ASSIGNMENT ACCEPTED:**

**API Industries, Inc. (a Delaware corporation)**

By: DocuSigned by:  
Martin Ayrovainen  
60F93083274BC...

Name: Martin Ayrovainen

Title: VP-CFO

Date: June 7, 2017

**SCHEDULE 1**

1. The following trademarks:

| <b><u>Country</u></b> | <b><u>Serial No.</u></b> | <b><u>Registration No.</u></b> | <b><u>Mark</u></b> |
|-----------------------|--------------------------|--------------------------------|--------------------|
| United States         | 77947934                 | 4067934                        | harm@nyx           |

2. Any trademark or trademark registration filed in a country other than listed in Section 1 of this Schedule corresponding to any trademark or trademark registration listed in Section 1 of this Schedule.