

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM445210

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	RELEASE OF SECURITY INTEREST

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
THE GOVERNOR AND COMPANY OF THE BANK OF IRELAND		09/29/2017	Public Limited Company: IRELAND

RECEIVING PARTY DATA

Name:	EVERLAST CLIMBING INDUSTRIES, INC.
Street Address:	42 NORTHERN STACKS DRIVE
Internal Address:	SUITE 100
City:	MINNEAPOLIS
State/Country:	MINNESOTA
Postal Code:	55421
Entity Type:	Corporation: DELAWARE

PROPERTY NUMBERS Total: 32

Property Type	Number	Word Mark
Registration Number:	3317797	CLIMBCO
Registration Number:	2891649	COLORADO BLOCK BY PARAGON
Registration Number:	2124672	COLORADO TIME SYSTEMS
Registration Number:	1047165	COLORADO TIME SYSTEMS
Registration Number:	4241116	CRYSTAL CLEAR
Registration Number:	3733530	DERO BIKE RACKS
Registration Number:	3822887	DERO ZAP
Registration Number:	3593870	
Registration Number:	3601096	
Registration Number:	3911420	
Registration Number:	2028306	
Registration Number:	4214646	EVERACTIVE
Registration Number:	4378546	FIXIT
Registration Number:	1707790	FREEDOM-LIFT
Registration Number:	4349871	HIJINX
Registration Number:	4217586	KERSPLASH
Registration Number:	3317798	MAGNA

CH \$815.00 3317797

TRADEMARK

Property Type	Number	Word Mark
Registration Number:	3510275	MAT LOCKING
Registration Number:	3709513	MATE
Registration Number:	4131659	NATUREROCKS
Registration Number:	3324281	RED-RELIEF LINE
Serial Number:	86196337	SOLARIAN
Registration Number:	3955571	SPECTRA-SHIELD
Registration Number:	3948108	SPECTRUM
Registration Number:	2608879	SPECTRUM AQUATICS
Registration Number:	1742752	SPECTRUM POOL PRODUCTS
Registration Number:	4166927	STARTFIT
Registration Number:	1662209	SWIM-LIFT
Registration Number:	1682965	THERMAL KING
Registration Number:	3344029	TRAVERSE WALL
Registration Number:	4134750	WEEKIDZ
Serial Number:	86230933	XCELLERATOR

CORRESPONDENCE DATA

Fax Number: 2126983599
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.
Phone: 2126983500
Email: patents@dechert.com
Correspondent Name: Dechert LLP
Address Line 1: 1095 Avenue of the americas
Address Line 4: new york, NEW YORK 10036

ATTORNEY DOCKET NUMBER:	377732-155094
NAME OF SUBMITTER:	Erin Peacock
SIGNATURE:	/Erin Peacock/
DATE SIGNED:	09/29/2017

Total Attachments: 9
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RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY

This **RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY** (the “Release”) is made as of September 29, 2017, by **THE GOVERNOR AND COMPANY OF THE BANK OF IRELAND**, as collateral agent for the Secured Parties (as defined in the Security Agreement referred to below) (in such capacity, the “Collateral Agent”), in favor of **EVERLAST CLIMBING INDUSTRIES, INC.** (the “Grantor”).

W I T N E S S E T H

WHEREAS, pursuant to (i) that certain Security Agreement, dated as of May 30, 2014, by and among Grantor, the other grantors party thereto and the Collateral Agent (as heretofore amended, supplemented or otherwise modified, the “Security Agreement”) and (ii) that certain Intellectual Property Security Agreement, dated as of May 30, 2014, by and between Grantor and Collateral Agent (the “Intellectual Property Security Agreement”; all capitalized terms used herein but not otherwise defined shall have the meanings set forth in the Intellectual Property Security Agreement), the Grantor granted the Collateral Agent a security interest in and continuing lien on all of Grantor’s right, title and interest in, to and under the IP Collateral, including, without limitation, the Trademarks, Patents and Copyrights identified on Schedule A attached hereto (the “IP Security Interest”);

WHEREAS, the Intellectual Property Security Agreement was recorded with the United States Patent and Trademark Office on May 31, 2014 at Reel 5292, Frame 0933 and was recorded with the United States Copyright Office on or about the same date;

WHEREAS, the Grantor has satisfied in full the terms of the Security Agreement and Intellectual Property Security Agreement and requests a release of the IP Security Interest; and

WHEREAS, the Collateral Agent, on behalf of itself and the Secured Parties, desires to terminate and grant a release of the IP Security Interest as provided in this Release.

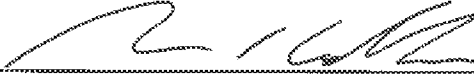
NOW THEREFORE, for good and valuable consideration previously tendered by the Grantor, the receipt and sufficiency of which are hereby acknowledged, the Collateral Agent, on behalf of itself and the Secured Parties, does hereby agree as follows:

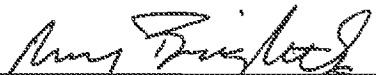
1. Collateral Agent, on behalf of itself and the Secured Parties, hereby (a) terminates the Intellectual Property Security Agreement, (b) releases, relinquishes, terminates and discharges the IP Security Interest in its entirety and (c) reassigns to the Grantor any and all right, title and interest of any nature whatsoever which it may hold in or to the any of the Intellectual Property Collateral (including, without limitation, the Trademarks, Patents and Copyrights identified on Schedule A attached hereto) and associated common law rights and goodwill appurtenant thereto.
2. The Collateral Agent, on behalf of itself and the Secured Parties, authorizes the United States Patent and Trademark Office, the United States Copyright Office and any other applicable governmental authority to record this Release.
3. At the request and sole expense of Grantor, Collateral Agent, on behalf of itself and the Secured Parties, agrees to execute, acknowledge and deliver all such further instruments and to take all such further actions necessary to carry out the purposes of this Release.

[Signature page follows]

IN TESTIMONY WHEREOF, the Collateral Agent has executed this Release by its proper officers thereunto duly authorized.

**THE GOVERNOR AND COMPANY OF THE
BANK OF IRELAND, as Collateral Agent**

By: 
Name: MANU O'CALLAGHAN
Title: V.P.

By: 
Name: Russ Bright
Title: Director

Schedule A

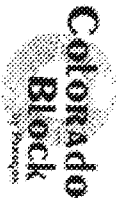
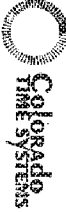

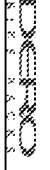



[see attached]

Everlast Climbing Industries Patent Schedule


Jurisdiction	Title	App. No. (App. Date)	Patent No. (Issue Date)	Record Owner	Status
United States	Articulatable elevated bicycle rack	12/706,276 (16-Feb-2010)		Derovations Corporation	Pending
United States	Bicycle rack	29/307,220 (07-Apr-2008)	D583716 (30-Dec-2008)	Everlast Climbing Industries, Inc.	Granted
United States	Bicycle service rack	29/414,067 (24-Feb-2012)	D680914 (30-Apr-2013)	Everlast Climbing Industries, Inc.	Granted
United States	Climbing wall assembly	10/236,728 (06-Sep-2002)	7056266 (06-Jun-2006)	Everlast Climbing Industries, Inc.	Granted
United States	Climbing wall assembly	11/230,353 (19-Sep-2005)	7419457 (02-Sep-2008)	Everlast Climbing Industries, Inc.	Granted
United States	Climbing wall assembly	11/247,497 (10-Oct-2005)	7520837 (21-Apr-2009)	Everlast Climbing Industries, Inc.	Granted
United States	Climbing wall assembly	11/280,899 (16-Nov-2005)	7563202 (21-Jul-2009)	Everlast Climbing Industries, Inc.	Granted
United States	Climbing wall assembly	11/391,785 (28-Mar-2006)	7611444 (03-Nov-2009)	Everlast Climbing Industries, Inc.	Granted
United States	Climbing wall assembly	12/460285 (16-Jul-2009)	8038581 (18-Oct-2011)	Everlast Climbing Industries, Inc.	Granted
United States	Climbing wall route setting assembly and process	11/280,900 (16-Nov-2005)	7520838 (21-Apr-2009)	Everlast Climbing Industries, Inc.	Granted
United States	Climbing walls	13/839,688 (15-Mar-2013)		Everlast Climbing Industries, Inc.	Pending
United States	Compression anchor	10/782,515 (11-Feb-2004)	7437857 (21-Oct-2008)	Everlast Climbing Industries, Inc.	Granted
United States	Fitness system for climbing walls	12/221,381 (01-Aug-2008)	7780576 (24-Aug-2010)	Everlast Climbing Industries, Inc.	Granted
United States	Heart rate monitors and displays for climbing walls	11/286,458 (23-Nov-2005)	7381154 (03-Jun-2008)	Everlast Climbing Industries, Inc.	Granted
United States	Meter hitch	29/351,902 (14-Dec-2009)	D620845 (03-Aug-2010)	Everlast Climbing Industries, Inc.	Granted
United States	Method and device for continuous casting of metals	11/230,535 (21-Apr-2005)	7237597 (03-Jul-2007)	Leonid Beitelman	Granted
United States	Portable lifeguard chair	10/778,489 (13-Feb-2004)	7048091 (23-May-2006)	Everlast Climbing Industries, Inc.	Granted
United States	Safety mat securement assembly	11/061,583 (18-Feb-2005)	7862480 (04-Jan-2011)	Everlast Climbing Industries, Inc.	Granted

Jurisdiction	Title	App. No. (App. Date)	Patent No. (Issue Date)	Record Owner	Status
United States	Safety mat securement assembly	11/705,296 (12-Feb-2007)	7819778 (26-Oct-2010)	Everlast Climbing Industries, Inc.	Granted
United States	Safety mat securement assembly	12/930,138 (29-Dec-2010)	8282534 (09-Oct-2012)	Everlast Climbing Industries, Inc.	Granted
United States	Slip Resistant Texture for Wet Skin Contact Surfaces	08/374,479 (17-Jan-1995)	5702799 (30-Dec-1997)	Everlast Climbing Industries, Inc.	Granted
United States	Starting platform and anchor system	10/685,888 (15-Oct-2003)	7058994 (13-Jun-2006)	Everlast Climbing Industries, Inc.	Granted
United States	Swimmer's Starting Block	26/162,311 (13-Jun-2002)	D471945 (18-Mar-2003)	Everlast Climbing Industries, Inc.	Granted
United States	Swimming pool lift	09/337,781 (22-Jun-1999)	6170612 (09-Jan-2001)	Everlast Climbing Industries, Inc.	Granted
United States	Swimming pool lift	09/691,281 (18-Oct-2000)	6378659 (30-Apr-2002)	Everlast Climbing Industries, Inc.	Granted
United States	Swimming pool lift & transfer bar	11/172,131 (29-Jun-2005)	7310833 (25-Dec-2007)	Everlast Climbing Industries, Inc.	Granted
United States	System for tracking bicycle commuter activity	12/766,521 (23-Apr-2010)		Derovations Corporation	Pending
United States	Tamper sensitive RFID tag	12/652,122 (05-Jan-2010)	8282011 (09-Oct-2012)	Everlast Climbing Industries, Inc.	Granted
United States	Tamper sensitive RFID tag	13/633,296 (02-Oct-2012)		Everlast Climbing Industries, Inc.	Published
United States	Track State Block for Swimming	13/275,479 (18-Oct-2011)	8696525 (15-Apr-2014)	Colorado Time Systems	Granted
United States	Swimming Pool Deckplate for Horizontal Surface integrated slopes around electrical contacts	13/225,654 (06-Sep-2011)	8602815 (10-Dec-2013)	Everlast Climbing Industries, Inc. /DBA/ Colorado Times System	Granted
United States	Swimming Pool Deckplate for Horizontal Surface integrated slopes around electrical contacts	14/053,326 (14-Oct-2013)		Everlast Climbing Industries, Inc. /DBA/ Colorado Times System	Allowed

Everlast Climbing Industries Trademark Schedule

Jurisdiction	Trademark	App. No. (App. Date)	Reg. No. (Reg. Date)	Owner	Status
U.S. Federal	CLIMBCO	78/891,337 (24-May-2006)	3317797 (23-Oct-2007)	Everlast Climbing Industries, Inc.	Registered
U.S. Federal		76/431,171 (16-Jul-2002)	2891649 (05-Oct-2004)	Pentair Water Pool and Spa, Inc./Colorado Time Systems, LLC	Registered
U.S. Federal	COLORADO TIME SYSTEMS	74/691,531 (21-Jun-1995)	2124672 (30-Dec-1997)	Everlast Climbing Industries, Inc.	Registered
U.S. Federal		73/065,128 (06-Oct-1975)	1047165 (31-Aug-1976)	Everlast Climbing Industries, Inc.	Registered
U.S. Federal	CRYSTAL CLEAR	85/553,626 (27-Feb-2012)	4241116 (13-Nov-2012)	Everlast Climbing Industries, Inc.	Registered
U.S. Federal		77/664,022 (05-Feb-2009)	3733530 (05-Jan-2010)	Everlast Climbing Industries, Inc.	Registered
U.S. Federal		77/720,840 (23-Apr-2009)	3822887 (20-Jul-2010)	Everlast Climbing Industries, Inc.	Registered
U.S. Federal	DERO ZAP				
U.S. Federal		77/369,891 (11-Jan-2008)	3593870 (24-Mar-2009)	Everlast Climbing Industries, Inc.	Registered
U.S. Federal		77/369,877 (11-Jan-2008)	3601096 (07-Apr-2009)	Everlast Climbing Industries, Inc.	Registered
U.S. Federal		77/318,900 (01-Nov-2007)	3911420 (25-Jan-2011)	Everlast Climbing Industries, Inc.	Registered

Jurisdiction	Trademark	App. No. (App. Date)	Reg. No. (Reg. Date)	Owner	Status
U.S. Federal		74/691,532 (21-Jun-1995)	2028306 (07-Jan-1997)	Everlast Climbing Industries, Inc.	Registered
U.S. Federal	EVERACTIVE	85/208,057 (30-Dec-2010)	4214646 (25-Sep-2012)	Everlast Climbing Industries, Inc.	Registered
U.S. Federal	FIXIT	85/622,812 (11-May-2012)	4378546 (06-Aug-2013)	Everlast Climbing Industries, Inc.	Registered
U.S. Federal	FREEDOM-LIFT	74/202,587 (12-Sep-1991)	1707790 (18-Aug-1992)	Everlast Climbing Industries, Inc.	Registered
U.S. Federal	HJINX	85/754,904 (16-Oct-2012)	4349871 (11-Jun-2013)	Everlast Climbing Industries, Inc.	Registered
U.S. Federal	KERSPLASH	85/553,622 (27-Feb-2012)	4217586 (02-Oct-2012)	Everlast Climbing Industries, Inc.	Registered
U.S. Federal	MAGNA	78/891,339 (24-May-2006)	3317798 (23-Oct-2007)	Everlast Climbing Industries, Inc.	Registered
U.S. Federal	MAT LOCKING	77/371,199 (14-Jan-2008)	3510275 (30-Sep-2008)	Everlast Climbing Industries, Inc.	Registered
U.S. Federal		77/404,559 (23-Feb-2008)	3709513 (10-Nov-2009)	Everlast Climbing Industries, Inc.	Registered
U.S. Federal	NATUREROCKS	85/404,872 (23-Aug-2011)	4131659 (24-Apr-2012)	Everlast Climbing Industries, Inc.	Registered
U.S. Federal	RED-RELIEF LINE	78/891,360 (24-May-2006)	3324281 (30-Oct-2007)	Everlast Climbing Industries, Inc.	Registered
U.S. Federal	SOLARIAN	86/196,337 (18-Feb-2014)		Everlast Climbing Industries, Inc.	Pending
U.S. Federal	SPECTRA SHIELD	77/900,319 (23-Dec-2009)	3955571 (03-May-2011)	Everlast Climbing Industries, Inc.	Registered
U.S. Federal	SPECTRUM	77/318,824 (01-Nov-2007)	3948108 (19-Apr-2011)	Everlast Climbing Industries, Inc.	Registered
U.S. Federal	SPECTRUM AQUATICS	76/138,943 (02-Oct-2000)	2608879 (20-Aug-2002)	Everlast Climbing Industries, Inc.	Registered

Jurisdiction	Trademark	App. No. (App. Date)	Reg. No. (Reg. Date)	Owner	Status
U.S. Federal		74/176,059 (14-Jun-1991)	1742752 (29-Dec-1992)	Everlast Climbing Industries, Inc.	Registered
U.S. Federal	STARTFIT	85/404,869 (23-Aug-2011)	4166927 (03-Jul-2012)	Everlast Climbing Industries, Inc.	Registered
U.S. Federal	SWIM-LIFT	74/123,268 (14-Dec-1990)	1662209 (29-Oct-1991)	Everlast Climbing Industries, Inc.	Registered
U.S. Federal	THERMAL KING	74/157,070 (15-Apr-1991)	1682965 (14-Apr-1992)	Everlast Climbing Industries, Inc.	Registered
U.S. Federal	TRAVERSE WALL	78/891,347 (24-May-2006)	3344029 (27-Nov-2007)	Everlast Climbing Industries, Inc.	Registered
U.S. Federal	WEEKIDZ	85/404,866 (23-Aug-2011)	4134750 (01-May-2012)	Everlast Climbing Industries, Inc.	Registered
U.S. Federal	XCELLERATOR	86/230,933 (25-Mar-2014)		Everlast Climbing Industries, Inc.	Pending

Everlast Climbing Industries U.S. Copyright Schedule

Copyright	Owner	Reg. No.	Reg. Date	Status
Choose Well, Be Well.	Everlast Climbing Industries, Inc.	TX 6-971-073	08-Jan-2008	Registered
Climb Across America.	Everlast Climbing Industries, Inc.	TX 7-083-912	25-Jan-2008	Registered
Climbing for Character.	Everlast Climbing Industries, Inc.	TX 7-146-833	30-Mar-2008	Registered
Climbing the Walls, An Activity and Resource Guide for Traverse Wall Facilitators.	Everlast Climbing Industries, Inc.	TX 6-839-223	30-Aug-2007	Registered
Dero Brochure.	Everlast Climbing Industries, Inc. d/b/a Dero.	TX 7-745-661	12-Jul-2013	Registered
Dero Catalog.	Everlast Climbing Industries, Inc. d/b/a Dero.	TX 7-745-656	12-Jul-2013	Registered
Do-It-Yourself Climbing Wall Kit: Resource Notebook.	Everlast Climbing Industries, Inc.	TX 7-024-481	10-Apr-2008	Registered
Everlast climbing industries, Inc. 2006 catalog.	Everlast Climbing Industries, Inc.	TX 6-578-372	16-May-2007	Registered
Everlast Climbing Industries, Inc. 2007 Catalog.	Everlast Climbing Industries, Inc.	TX 6-943-512	07-Jan-2008	Registered
FitWALL A Resistance Tubing Fitness System	Everlast Climbing Industries, Inc.	TX 7-111-041	08-Apr-2008	Registered