# H \$140.00 409

ETAS ID: TM462244

# TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1 Stylesheet Version v1.2

tylesheet Version v1.2

SUBMISSION TYPE: NEW ASSIGNMENT

NATURE OF CONVEYANCE: Assignment of Short Form Intellectual Property Security Agreement

#### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Keybank National Association, as Retiring Agent		02/14/2018	National Banking Association: UNITED STATES

#### **RECEIVING PARTY DATA**

Name:	U.S. Bank National Association, as Successor Agent	
Street Address:	800 Nicollet Mall, 3rd Floor	
City:	Minneapolis	
State/Country:	MINNESOTA	
Postal Code:	55402	
Entity Type:	National Banking Association: UNITED STATES	

#### **PROPERTY NUMBERS Total: 5**

Property Type	Number Word Mark	
Registration Number:	4095886	В
Registration Number:	4120923	BAM LABS
Registration Number:	4508310	SMART BED TECHNOLOGY
Registration Number:	4685838	WE MAKE BEDS SMART
Registration Number:	4707041	BAM LABS

#### **CORRESPONDENCE DATA**

**Fax Number:** 2149813400

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: 214-981-3483
Email: dclark@sidley.com
Correspondent Name: DUSAN CLARK, ESQ.
Address Line 1: SIDLEY AUSTIN LLP

Address Line 2: 2021 MCKINNEY AVE., SUITE 2000

Address Line 4: DALLAS, TEXAS 75201

ATTORNEY DOCKET NUMBER:	40106-31340
NAME OF SUBMITTER:	Dusan Clark
SIGNATURE:	/Dusan Clark/
DATE SIGNED:	02/15/2018

TRADEMARK REEL: 006273 FRAME: 0842

900439521

# **Total Attachments: 6** source=USB\_Sleep Number\_ Assignment of IP Security Agreement (Select Comfort Retail Corporation) 228934392 1#page1.tif source=USB Sleep Number Assignment of IP Security Agreement (Select Comfort Retail Corporation) 228934392 1#page2.tif source=USB Sleep Number Assignment of IP Security Agreement (Select Comfort Retail Corporation)

- 228934392\_1#page3.tif
- source=USB Sleep Number Assignment of IP Security Agreement (Select Comfort Retail Corporation) 228934392 1#page4.tif
- source=USB Sleep Number Assignment of IP Security Agreement (Select Comfort Retail Corporation) 228934392 1#page5.tif
- source=USB Sleep Number Assignment of IP Security Agreement (Select Comfort Retail Corporation) 228934392 1#page6.tif

# ASSIGNMENT OF SHORT FORM INTELLECTUAL PROPERTY SECURITY AGREEMENT

This ASSIGNMENT OF SHORT FORM INTELLECTUAL PROPERTY SECURITY AGREEMENT (this "Assignment"), dated as of February 14, 2018, is by and between KEYBANK NATIONAL ASSOCIATION (individually, "KeyBank"), acting in its capacity as the current and resigning administrative agent (in such capacity, the "Retiring Agent") and U.S. BANK NATIONAL ASSOCIATION (individually, "U.S. Bank"), acting in its capacity as the successor administrative agent (in such capacity, the "Successor Agent").

#### RECITALS:

WHEREAS, Select Comfort Retail Corporation, a Minnesota corporation (successor by merger to SleepIQ LABS Inc., a Delaware corporation), and Retiring Agent are parties to those certain short form intellectual property security agreements identified in <a href="Exhibit A">Exhibit A</a> attached hereto (as the same may have been amended, restated, supplemented or otherwise modified from time to time, collectively, the "Agreements") covering certain intellectual property, including those set forth on Exhibit B attached hereto; and

WHEREAS, pursuant to that certain Amended and Restated Credit Agreement by and among, Sleep Number Corporation, U.S. Bank, as Successor Agent and the lenders party thereto (x) Retiring Agent has been discharged from its rights, duties and obligations under, among other documents, the Agreements, in each instance, in its capacity as administrative agent and (y) Successor Agent has assumed such rights, duties and obligations under, among other documents, the Agreements, in each instance, in the capacity as administrative agent.

**NOW, THEREFORE**, in consideration of the foregoing, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Retiring Agent hereby assigns and transfers to Successor Agent and its successors and assigns, all of its rights, title and interest in and to the Agreements.

This Assignment may be executed in any number of counterparts, each of which when so executed shall be deemed an original and all of which taken together shall constitute one and the same instrument.

- Remainder of Page Intentionally Left Blank; Signature Page Follows -

IN WITNESS WHEREOF, Retiring Agent and Successor Agent have caused this Assignment to be duly executed as of the date first above written.

# RETIRING AGENT:

KEYBANK NATIONAL ASSOCIATION

Name: Marianne Meil

Its: Senior Vice President

# **SUCCESSOR AGENT:**

U.S. BANK NATIONAL ASSOCIATION

Name: Tim Landro Title: Vice President

#### **EXHIBIT A**

Short Form Intellectual Property Security Agreement dated as of February 10, 2016 and recorded with the United States Patent and Trademark Office on February 15, 2016 at Reel 37821, Frame 0782 and Reel 5731, Frame 0544.

# EXHIBIT B

# U.S. Patents recorded at Reel 37821, Frame 0782

1. METHOD AND API	PARATUS FOR MONITORING V	ITAL SIGNS REMOTELY	
Inventors: STEVEN JA	Y YOUNG, WILLIAM MCKINNO	ON GILLON, RICHARD VINCENT	
RIFREDI, WILLIAM T			
None	20080077020	11849051	
INOHE	Mar 27, 2008	Aug 31, 2007	
2. APPARATUS FOR I PADDING	MONITORING VITAL SIGNS HA	VING FLUID BLADDER BENEATH	
Inventors: STEVEN J. ' 8444558	YOUNG, RICHARD V. RIFREDI. 20100174198	YURI ZHOVNIROVSKY 12349667	
May 21, 2013	Jul 8, 2010	Jan 7, 2009	
,	MONITORING VITAL SIGNS OF	·	
	YOUNG, RICHARD V. RIFREDI,		
8287452	20100174199	12349853	
Oct 16, 2012	Jul 8, 2010	Jan 7, 2009	
	R FOR MONITORING A SUBJEC	T AND PRESSURE SENSOR WITH	
Inventors: STEVEN J.	YOUNG		
8672853	20110306844	12815653	
Mar 18, 2014	Dec 15, 2011	Jun 15, 2010	
5. DEVICE AND MET SUBJECT ON OR FRO		TON AND PREDICTING AN EXIT OF A	
Inventors: STEVEN J.	YOUNG, CARL HEWITT, AL LU	CKOW	
9445751	20150025327	13945554	
	Jan 22, 2015 MATTRESS SNORING DETECTI	Jul 18, 2013 ON AND RESPONSE	
Inventors: ROB NUNN	. WADE DANIEL PALASHEWSK	II. MATTHEW WAYNE TILSTRA,	
STACY STUSYNSKI,	STEVEN YOUNG, CARL HEWIT	"[	
9370457	20140259417	14206841	
Jun 21, 2016	Sep 18, 2014	Mar 12, 2014	
	MATTRESS ALARM AND MONI		
Inventors: ROB NUNN	. WADE DANIEL PALASHEWSK	II. MATTHEW WAYNE TILSTRA,	
STACY STUSYNSKI.	STEVEN YOUNG, CARL HEWIT	<del>.</del>	
	20140259433	14209222	
None	Sep 18, 2014	Mar 13, 2014	
8. INFLATABLE AIR I		F BED PRESSURE ADJUSTMENT	
Inventors: ROB NUNN	. WADE DANIEL PALASHEWSK	II. STEVEN JAY YOUNG, CARL HEWIT	
9635953	20140277778	14209335	
May 2, 2017	Sep 18, 2014	Mar 13, 2014	
	MATTRESS WITH LIGHT AND V	VOICE CONTROLS	
Inventors: ROB NUNN	, WADE DANIEL PALASHEWSK	I, YI-CHING CHEN, STEVEN YOUNG,	
CARL HEWITT			
None	20140259418	14209351	

Sep 18, 2014 Mar 13, 2014 10. INFLATABLE AIR MATTRESS SLEEP ENVIRONMENT ADJUSTMENT AND SUGGESTIONS Inventors: ROB NUNN, WADE DANIEL PALASHEWSKI, MATTHEW WAYNE TILSTRA. STACY STUSYNSKI, STEVEN YOUNG, CARL HEWITT 14209405 20140277822 None Sep 18, 2014 Mar 13, 2014 11. INFLATABLE AIR MATTRESS SYSTEM WITH DETECTION TECHNIQUES Inventors: ROB NUNN, WADE DANIEL PALASHEWSKI, MATTHEW WAYNE TILSTRA. STEVEN YOUNG, CARL HEWITT, YURI ZHOVNIROVSKY 9510688 20140259434 14209414 Dec 6, 2016 Sep 18, 2014 Mar 13, 2014 12. SMART SEAT MONITORING SYSTEM Inventors: STEVEN J. YOUNG, CARL HEWITT, AL LUCKOW 9504416 20150008710 14323195 Nov 29, 2016 Jan 8, 2015 Jul 3, 2014 13. DEVICE AND METHOD OF AUTOMATED SUBSTRATE CONTROL AND NON-INTRUSIVE SUBJECT MONITORING Inventors: STEVEN J. YOUNG, AL LUCKOW, CARL HEWITT 20160367039 14740832 None Dec 22, 2016 Jun 16, 2015

#### U.S. TMs recorded at Reel 5731 and Frame 0544

**RECORDED: 02/15/2018** 

THE STATE OF THE S	Serial #: <u>85337148</u> Mark: B	<b>Filing Dt:</b> 06/03/2011	Reg #: 4095886	Reg. Dt: 02/07/2012
2	Serial #: 85337183 Mark: BAM LABS	Filing Dt: 06/03/2011	Reg #: 4120923	Reg. Dt: 04/03/2012
3	Serial #: 85756768 Mark: SMART BED T	Filing Dt: 10/17/2012 TECHNOLOGY	Reg #: 4508310	Reg. Dt: 04/01/2014
4	Serial #: 86163725         Filing Dt: 01/13/2014         Reg #: 4685838         Reg. Dt: 02/10/2015           Mark: WE MAKE BEDS SMART			
5	Serial #: 86294699 Mark: BAM LABS	Filing Dt: 05/29/2014	Reg #: 4707041	Reg. Dt: 03/24/2015