

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM497668

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	RELEASE OF SECURITY INTEREST		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
SILICON VALLEY BANK		11/09/2018	Corporation: CALIFORNIA
RECEIVING PARTY DATA			
Name:	K2M, INC.		
Street Address:	600 HOPE PARKWAY SE		
City:	LEESBURG		
State/Country:	VIRGINIA		
Postal Code:	20175		
Entity Type:	Corporation: DELAWARE		
Name:	K2M HOLDINGS, INC.		
Street Address:	600 HOPE PARKWAY SE		
City:	LEESBURG		
State/Country:	VIRGINIA		
Postal Code:	20175		
Entity Type:	Corporation: DELAWARE		
Name:	K2M UK LIMITED		
Street Address:	1 ROUNDWOOD AVENUE		
Internal Address:	STOCKLEY PARK, GROUND FLOOR		
City:	UXBRIDGE		
State/Country:	UNITED KINGDOM		
Postal Code:	UB11 1FG		
Entity Type:	Company: UNITED KINGDOM		
PROPERTY NUMBERS Total: 42			
Property Type	Number	Word Mark	
Registration Number:	3266231	ALEUTIAN	
Registration Number:	3887232	ARI	
Registration Number:	3490064	CASPIAN	
Registration Number:	3880354	CHESAPEAKE	
Registration Number:	4149875	CRICKET	
Registration Number:	3254127	DENALI	

CH \$1065.00 3266231

Property Type	Number	Word Mark
Registration Number:	4067895	EVEREST
Registration Number:	3276357	K2M
Registration Number:	3529040	K2M
Registration Number:	3272971	K2M
Registration Number:	4223154	K2M
Registration Number:	3338047	MESA
Serial Number:	85593996	MESA RAIL
Registration Number:	3661782	NAPA
Registration Number:	3393027	NATURAL BRIDGE
Registration Number:	3525446	POTOMAC
Registration Number:	3325782	PYRENEES
Serial Number:	85587028	RAIL 4D
Serial Number:	85679575	· RAIL 4D TECHNOLOGY ·
Registration Number:	3338046	RANGE
Registration Number:	3949295	RAVINE
Serial Number:	77530292	SANTORINI
Registration Number:	3399124	SERENGETI
Registration Number:	3396417	SURGEON DRIVEN DESIGN
Registration Number:	3604025	TERRA NOVA
Registration Number:	3895026	VIKOS
Registration Number:	3494337	ZERO-TORQUE TECHNOLOGY
Serial Number:	85587030	SANTORINI
Serial Number:	77878981	HYDROBOND
Registration Number:	3547906	CAYMAN
Registration Number:	3911316	CASPIAN
Registration Number:	4435501	BLUE RIDGE
Registration Number:	4556960	NILE
Registration Number:	4523159	VENADO
Registration Number:	4435502	VESUVIUS
Serial Number:	86625699	ARTIFICIAL INTELLIGENCE SPINE
Serial Number:	86781762	BLUEPRINT
Serial Number:	86797626	CANYON
Serial Number:	86710902	LAMELLAR
Serial Number:	86625705	SAHARA
Serial Number:	87046946	MOJAVE
Serial Number:	87110274	PANAREA

CORRESPONDENCE DATA

**TRADEMARK
REEL: 006479 FRAME: 0687**

Fax Number: 2127352000

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: 212.735.5117

Email: francine.waldbaum@skadden.com

Correspondent Name: Skadden, Arps, Slate, Meagher & Flom LLP

Address Line 1: Four Times Square

Address Line 2: Francine Waldbaum

Address Line 4: New York, NEW YORK 10036

ATTORNEY DOCKET NUMBER:	108390/99
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NAME OF SUBMITTER:	KANE WISHART
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SIGNATURE:	/Kane Wishart/
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DATE SIGNED:	11/09/2018
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Total Attachments: 18

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TERMINATION AND RELEASE OF TRADEMARK SECURITY AGREEMENT

This **TERMINATION AND RELEASE OF TRADEMARK SECURITY AGREEMENT** (this “*Termination and Release*”) is granted as of November 9, 2018 by SILICON VALLEY BANK, as Administrative Agent (the “*Assignee*”), in favor of K2M, INC., a Delaware corporation, K2M HOLDINGS, INC., a Delaware corporation, and K2M UK LIMITED, a company organized under the laws of the United Kingdom (individually, a “*Grantor*”, and collectively, the “*Grantors*”).

WHEREAS, the Grantors executed and delivered a Trademark Security Agreement, dated as of October 29, 2012 (the “*Original Agreement*”), granting the Assignee a security interest in and lien on certain Trademarks described therein, which was recorded with the United States Patent and Trademark Office (“*USPTO*”) on October 30, 2012, at Reel 4890, Frame 0927, which Original Agreement was amended by (i) a First Amendment to Trademark Security Agreement, dated as of October 29, 2015 (the “*First Amendment*”), which was recorded with the USPTO on November 11, 2015, at Reel 5666, Frame 0488, and (ii) a Second Amendment to Trademark Security Agreement, dated as of August 8, 2016 (the “*Second Amendment*”; the Original Agreement, as amended by the First Amendment and the Second Amendment, is hereinafter referred to as the “*Trademark Agreement*”), which was recorded with the USPTO on August 8, 2016, at Reel 5849, Frame 0347;

WHEREAS, each Grantor has requested that Assignee hereby terminate, release and discharge fully its security interests in and liens on all right, title and interest of each Grantor in, to and under all of the Trademarks (as defined in the Trademark Agreement) (collectively, the “*Trademark Collateral*”) as herein provided; and

WHEREAS, each Grantor has requested that the Assignee provide a document suitable for recording with the USPTO to evidence the release of the Assignee’s security interests in and liens on the Trademark Collateral as herein provided.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Assignee hereby:

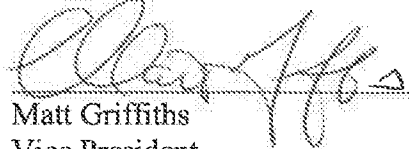
1. terminates the Trademark Agreement and releases, terminates and discharges all liens and security interests in each Grantor’s right, title and interest in, to and under the Trademark Collateral, and all goodwill associated therewith, including those Trademarks identified in Schedule A hereto;
2. authorizes and requests that this Termination and Release be recorded with the USPTO; and
3. agrees to execute and deliver to Grantors, at Grantors’ sole cost and expense and in form and substance satisfactory to the Assignee, all termination statements and releases that such Grantors (or each Grantor’s respective agent) shall reasonably request in order to confirm, record or effectuate this Termination and Release and each Grantor’s right, title and interest in or to the Trademark Collateral.

THIS TERMINATION AND RELEASE AND THE RIGHTS AND OBLIGATIONS OF THE PARTIES HEREUNDER SHALL BE GOVERNED BY, AND SHALL BE CONSTRUED AND INTERPRETED IN ACCORDANCE WITH, THE LAWS OF THE STATE OF NEW YORK.

[Signature page follows]

IN WITNESS WHEREOF, the undersigned has executed this Termination and Release by its duly authorized officer as of the date first above written.

SILICON VALLEY BANK, as Assignee

By: 
Name: Matt Griffiths
Title: Vice President

[Signature Page to Termination and Release of Trademark Security Agreement]

TRADEMARK
REEL: 006479 FRAME: 0691

SCHEDULE A TO
TERMINATION AND RELEASE OF TRADEMARK SECURITY AGREEMENT

(SEE ATTACHED)

2388606.4

SCHEDULE A
K2M U.S. TRADEMARK

*Note: All trademarks are owned by K2M, Inc.

MARK	SERIAL NO./ REG.NO.	STATUS	FILING DATE/ REGISTRATION DATE	DEADLINE CLASS/ GOODS & SERVICES	SYMBOL
ALEUTIAN	3,266,231	Registered.	Filed 10/4/05. Registered 7/17/07.	Section 8 & 15 affidavits due between 7/17/12 and 7/17/13.	®
ARI	3,887,232	Registered.	Filed 5/12/09. Registered 12/7/2010.	10/Medical apparatus, namely spinal spacer. Section 8 & 15 affidavits due between 12/7/2015 and 12/7/2016. 10/Surgical instruments and implants comprising artificial material used in spinal surgery.	®
CASPIAN	3,490,064	Registered. (Child of application 77/043,265.)	Filed 11/14/06. Registered 8/19/08.	Section 8 & 15 affidavits due between 8/19/13 and 8/19/14. 10/Medical and surgical spinal implants composed of artificial materials for stabilizing bones, namely, surgical spinal screws, surgical rods.	®

DB1/71440757.2

MARK	SERIAL NO./ REG.NO.	STATUS	FILING DATE/ REGISTRATION DATE	DEADLINE CLASS/ GOODS & SERVICES	SYMBOL
CHESAPEAKE	3,880,354	Registered.	Filed 4/30/08. Registered 11/23/10.	Section 8 & 15 affidavits due between 11/23/15 and 11/23/16. 10/Surgical instruments and implants comprised of artificial materials used in spinal surgery.	®
CRICKET	4,149,875	Registered	Filed 10/3/11. Registered 5/29/12.	Section 8 & 15 affidavits fur between 5/29/17 and 5/29/18. 10/Surgical instruments used in spinal applications	®
DENALI	3,254,127	Registered.	Filed 9/29/04. Registered 6/19/07.	Section 8 and 15 affidavits due between 6/19/12 and 6/19/13. 10/Medical and surgical apparatus and instruments, namely, spinal screws, plates, rods and spinal hooks.	®


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MARK	SERIAL NO./ REG.NO.	STATUS	FILING DATE/ REGISTRATION DATE	DEADLINE CLASS/ GOODS & SERVICES	SYMBOL
EVEREST	4,067,895	Registered	Filed 2/2/10. Registered 12/6/11	Section 8 and 15 affidavits due between 12/6/16 and 12/6/17. 10/Surgical instruments and surgical implants comprising artificial materials used in spinal surgery	TM
K2M	3,276,357	Registered.	Filed 9/29/04. Registered 8/7/07.	Section 8 & 15 affidavits due between 8/7/12 and 8/7/13. 10/Medical and surgical apparatus, appliances, devices and instruments, namely spinal screws, plates, spinal implants and instrumentation for inserting spinal implants.	®

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MARK	SERIAL NO./ REG.NO.	STATUS	FILING DATE/ REGISTRATION DATE	DEADLINE CLASS/ GOODS & SERVICES	SYMBOL
K2M	3,529,040	Registered.	Filed 9/29/04. Registered 11/4/08.	Section 8 and 15 affidavits due between 11/4/13 and 11/4/14. 40/Manufacture of medical and surgical apparatus, appliances, devices and instruments, namely, spinal screws and rods to the order and specification of others. 42/Design of medical and surgical apparatus, appliances, devices and instruments, namely, spinal screws and rods; medical research in the field of medical and surgical apparatus, appliances, devices and spinal surgery; providing information in the field of designing medical and surgical apparatus, appliances, devices and instruments; consulting in the field of designing medical and surgical apparatus, appliances, devices and instruments.	®

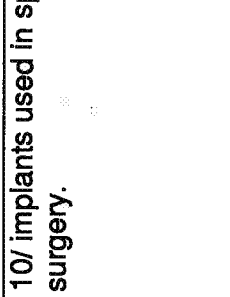
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MARK	SERIAL NO./ REG.NO.	STATUS	FILING DATE/ REGISTRATION DATE	DEADLINE CLASS/ GOODS & SERVICES	SYMBOL
K2M	3,272,971	Registered.	Filed 9/29/04. Registered 7/31/07.	Section 8 and 15 affidavits due between 7/31/12 and 7/31/13. 41/Educational services, namely conducting classes and providing training services in the field of spinal surgery and in the field of medical and surgical apparatus, appliances, devices and instruments.	®
	4,223,154	Registered	Filed 10/3/11. Registered 10/9/12.	Section 8 and 15 affidavits due between 10/9/17 and 10/9/18. 10/ Medical and surgical apparatus, appliances, devices and instruments, namely, spinal screws, plates, spinal implants and instrumentation for inserting spinal implants	®

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MARK	SERIAL NO./ REG.NO.	STATUS	FILING DATE/ REGISTRATION DATE	DEADLINE CLASS/ GOODS & SERVICES	SYMBOL
MESA	3,338,047	Registered.	Filed 11/8/06. Registered 11/20/07.	Section 8 and 15 affidavits due between 11/20/12 and 11/20/13. 10/Medical and surgical spinal implants composed of artificial materials for stabilizing bones, namely surgical spinal screws and surgical rods; surgical equipment namely devices for implantation of surgical spinal screws and rods.	®
MESA RAIL	85/593,996	Pending	Filed 4/10/12	Response to Office Action due 1/18/13. 10/ Implants used in spinal surgery comprised of artificial material.	TM
NAPA	3,661,782	Registered.	Filed 4/30/08. Registered 7/28/09.	Section 8 & 15 affidavits due between 7/28/14 and 7/28/15. 10/Surgical instrument sets, namely instruments for retracting and distracting tissue, and associated implants comprising artificial material.	®

MARK	SERIAL NO./ REG.NO.	STATUS	FILING DATE/ REGISTRATION DATE	DEADLINE CLASS/ GOODS & SERVICES	SYMBOL
NATURAL BRIDGE	3,393,027	Registered.	Filed 10/4/05. Registered 3/4/08.	Section 8 & 15 affidavits due between 3/4/13 and 3/4/14. 10/Medical apparatus, namely, spinal implants consisting of artificial materials.	®
POTOMAC	3,525,446	Registered.	Filed 11/13/07. Registered 10/28/08.	Section 8 & 15 affidavits due between 10/28/13 and 10/28/14. 10/Surgical instruments and surgical implants comprising artificial material used in spinal surgery.	®
PYRENEES	3,325,782	Registered.	Filed 9/29/04. Registered 10/30/07.	Section 8 & 15 affidavits due between 10/30/12 and 10/30/13. 10/Medical and surgical apparatus, appliances, devices and instruments, namely, spinal screws, plates.	®
RAIL 4D	85/587,028	Pending	Filed 4/2/12.	Response to Office Action due 1/18/13. 10/ implants used in spinal surgery.	TM

MARK	SERIAL NO./ REG.NO.	STATUS	FILING DATE/ REGISTRATION DATE	DEADLINE CLASS/ GOODS & SERVICES	SYMBOL
	85/679,575	Pending.	Filed 7/17/12.	10/ implants used in spinal surgery.	TM
RANGE	3,338,046	Registered.	Filed 11/8/06. Registered 11/20/07.	Section 8 & 15 affidavits due between 11/20/12 and 11/20/13. 10/Medical and surgical spinal implants composed of artificial materials for stabilizing bones, namely surgical plates, surgical spinal screws, surgical rods, surgical hooks, surgical spinal connectors, surgical bone staples and surgical washers.	®
RAVINE	3949295	Registered.	Filed 6/2/10. Registered 4/19/11.	Section 8 & 15 affidavits due between 4/19/16 and 4/19/2017. 10/Surgical implants comprising artificial material and surgical instrument sets for use in spinal surgery	®

MARK	SERIAL NO./ REG.NO.	STATUS	FILING DATE/ REGISTRATION DATE	DEADLINE CLASS/ GOODS & SERVICES	SYMBOL
SANTORINI	77/530,292	Published 8/21/12.	Filed 7/24/08.	10/Surgical instruments and implants comprised of artificial material used in spinal surgery.	TM
SERENGETI	3,399,124	Registered.	Filed 12/22/06. Registered 3/18/08.	Section 8 & 15 affidavits due between 3/18/13 and 3/18/14.	®
SURGEON DRIVEN DESIGN	3,396,417	Registered.	Filed 7/20/06. Registered 3/11/08.	10/Surgical instruments used in spinal surgery. Section 8 & 15 affidavit due between 3/11/13 and 3/11/14. 41/Educational services, namely conducting classes and providing training services in the field of surgery and in the field of medical and surgical apparatus, appliances, devices and instruments. 42/Consulting in the field of designing medical and surgical apparatus, appliances, devices and instruments.	®

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MARK	SERIAL NO./ REG.NO.	STATUS	FILING DATE/ REGISTRATION DATE	DEADLINE CLASS/ GOODS & SERVICES	SYMBOL
TERRA NOVA	3,604,025	Registered.	Filed 3/25/2008. Registered 4/7/09.	Section 8 & 15 affidavit due between 4/7/14 and 4/7/15. 10/Surgical instrument sets comprised of instruments for retracting and distracting tissue, and associated implants comprising artificial material.	®
VIKOS	3,895,026	Registered.	Filed 9/15/09. Registered 12/21/2010.	Section 8 & 15 affidavit due between 12/21/15 and 12/21/16. 10/Surgical implants used in spinal surgery.	®

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MARK	SERIAL NO./ REG.NO.	STATUS	FILING DATE/ REGISTRATION DATE	DEADLINE CLASS/ GOODS & SERVICES	SYMBOL
ZERO-TORQUE TECHNO-LOGY	3,494,337	Registered on the Supplemental Register.	Filed 7/20/06. Registered 8/26/08.	Section 8 affidavit due between 8/26/13 and 8/26/14. 10/Medical and surgical apparatus and instruments relating to the spine, namely spinal bone screws and rods; medical and surgical instruments for implanting spinal bone screws and rods. "Torque Technology" disclaimed apart from the mark as a whole.	®
SANTORINI	85587030	Published.	Filed 4/2/2012.	Surgical instruments and implants composed of artificial material used in spinal surgery.	TM
HYDROBOND	77878981	Published.	Filed 11/23/2009.	Artificial material used in spinal surgical products, namely, spinal implants; surgical instruments for use in orthopedic surgery.	TM
CAYMAN	3547906	Registered.	Filed 10/17/2007. Registered 12/16/2008.	Medical and surgical spinal implants composed of artificial materials for stabilizing bones, namely, surgical plates and surgical spinal screws.	®

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MARK	SERIAL NO./ REG.NO.	STATUS	FILING DATE/ REGISTRATION DATE	DEADLINE CLASS/ GOODS & SERVICES	SYMBOL
CASPIAN	3911316	Registered.	Filed 11/14/2006. Registered 1/25/2011.	Medical and surgical spinal implants composed of artificial materials for stabilizing bones, namely, surgical plates, surgical hooks, surgical spinal connectors.	®

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**FIRST AMENDMENT TO TRADEMARK SECURITY AGREEMENT
SCHEDULE A-1**

Registered Trademarks

<u>Registrant</u>	<u>Trademark</u>	<u>Registration No.</u>	<u>Registration Date</u>
K2M	Blue Ridge	4,435,501	Nov 19, 2013
K2M	Nile	4,556,960	June 24, 2014
K2M	Venado	4,523,159	April 29, 2014
K2M	Vesuvius	4,435,502	Nov 19, 2013

Applications of Registration of Trademarks

<u>Registrant</u>	<u>Trademark</u>	<u>Application No.</u>	<u>Application Date</u>
K2M	Artificial Intelligence Spine	86/625,699	May 11, 2015
K2M	Blue Print	86/781,762	Oct 8, 2015
K2M	Canyon	86/797,626	Oct 23, 2015
K2M	Lamellar	86/710,902	July 31, 2015
K2M	Sahara	86/625,705	May 11, 2015

Schedule A (continued) (Second Amendment to Trademark Security Agreement)

SCHEDULE A-2

Registered Trademarks

None.

Applications of Registration of Trademarks

<u>Registrant</u>	<u>Trademark</u>	<u>Application No.</u>	<u>Application Date</u>
K2M, Inc.	MOJAVE	87/046,946	May 23, 2016
K2M, Inc.	PANAREA	87/110,274	July 20, 2016

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