# CH \$340.00 30285

# TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1 Stylesheet Version v1.2 ETAS ID: TM512325

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

### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
PNC BANK, NATIONAL ASSOCIATION		02/28/2019	National Banking Association: UNITED STATES

### **RECEIVING PARTY DATA**

Name:	CrownPeak Intermediate Holdings, Inc.	
Street Address:	707 17th Street	
Internal Address:	Floor 38	
City:	Denver	
State/Country:	COLORADO	
Postal Code:	80202	
Entity Type:	Corporation: DELAWARE	
Name:	Crownpeak Technology, Inc.	
Street Address:	707 17th Street	
Internal Address:	Floor 38	
City:	Denver	
State/Country:	COLORADO	
Postal Code:	80202	
Entity Type:	Corporation: DELAWARE	
Name:	Evidon, Inc.	
Street Address:	404 5th Avenue	
City:	New York	
State/Country:	NEW YORK	
Postal Code:	10018	
Entity Type:	Corporation: DELAWARE	

### **PROPERTY NUMBERS Total: 13**

Property Type	Number	Word Mark
Registration Number: 3028518 CROWNPEAK		CROWNPEAK
Registration Number: 3045497		MANAGE CONTENT NOT TECHNOLOGY
Registration Number:	Registration Number: 3936054 WEB CONTENT OPTIMIZER	
Registration Number:	4005140	CROWNPEAK WEB CONTENT OPTIMIZER
Registration Number: 4005141 ENSURING YOUR WEB CONTENT SUCCESS		
	•	TRADEMARK

900487753 REEL: 006578 FRAME: 0407

Property Type	Number	Word Mark		
Serial Number:	87091752	THE DIGITAL EXPERIENCE LAYER		
Serial Number:	87198091	DXL INVOKE		
Serial Number:	87198111	DXL INGEST		
Serial Number:	87198097	DXL INJECT		
Registration Number:	4115791	EVIDON		
Registration Number:	4115842	EVIDON INFORM		
Registration Number:	4701542	HACK THE TRACKERS		
Registration Number:	4569336	TRACKERMAP		

### CORRESPONDENCE DATA

**Fax Number:** 4043659532

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:** 4042337000

Email: IPDOCKET@MMMLAW.COM

Correspondent Name: MORRIS, MANNING & MARTIN, LLP

Address Line 1: 3343 PEACHTREE ROAD NE

Address Line 2: 1600 ATLANTA FINANCIAL CENTER

Address Line 4: ATLANTA, GEORGIA 30326

NAME OF SUBMITTER:  R. Lee Strasburger	
SIGNATURE:	/R. Lee Strasburger, Jr./
DATE SIGNED:	03/01/2019

### **Total Attachments: 10**

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# TERMINATION AND RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY

This **TERMINATION AND RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY**, dated as of February 28, 2019 (the "Release"), is made by PNC Bank, National Association, as administrative agent (the "Administrative Agent"), in favor of CrownPeak Intermediate Holdings, Inc., a Delaware corporation ("Holdings"), Crownpeak Technology, Inc., a Delaware corporation (the "Crownpeak"), and Evidon, Inc., a Delaware corporation ("Evidon"; together with Holdings and Crownpeak, each a "Grantor" and, collectively, "Grantors").

WHEREAS, pursuant to that certain (i) Revolving Credit, Term Loan and Security Agreement dated as of May 5, 2017 (as amended, restated, supplemented, modified, extended, renewed or replaced from time to time, the "Loan Agreement"), by and among Holdings, Crownpeak, Evidon, Administrative Agent, and others party thereto, (ii) that certain Trademark Security Agreement dated May 5, 2017, by and among Holdings, Crownpeak, Administrative Agent, and others party thereto ("Trademark Security Agreement"), and (iii) that certain Intellectual Property Security Agreement dated as of July 26, 2017, by Evidon ("Intellectual Property Security Agreement"; together with the Loan Agreement, the Trademark Security Agreement and the Notices (as defined below), the "Security Agreements"; capitalized terms used herein are used as defined in the Security Agreements), Grantors granted to Administrative Agent, for the ratable benefit of the Lenders, a security interest in all of Grantors' right, title, and interest in and to certain trademarks, patents and copyrights, including, without limitation, the trademarks, patents and copyrights set forth on Schedule A attached hereto (the "Released Collateral"); and

**WHEREAS**, Administrative Agent recorded a Notice of Recordation of Assignment Document at the United States Patent and Trademark Office (the "<u>USPTO</u>") on May 8, 2017, at Reel 6052 Frame 0491 (the "<u>Trademark Notice #1</u>");

**WHEREAS**, Administrative Agent recorded a Notice of Recordation of Assignment Document at the USPTO on August 16, 2017, at Reel 6130 Frame 0697 (the "<u>Trademark Notice #2</u>");

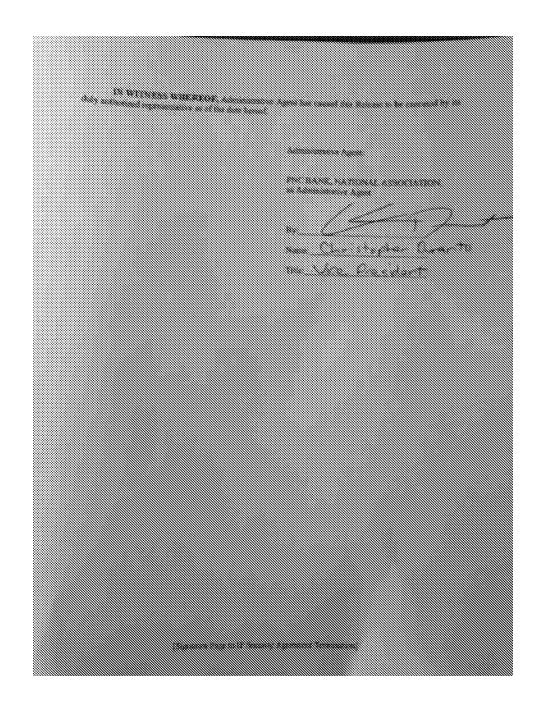
**WHEREAS**, Administrative Agent recorded a Notice of Recordation of Assignment Document at the USPTO on August 16, 2017, at Reel 043303 Frame 0202 (the "Patent Notice");

**WHEREAS**, Administrative Agent recorded a Certificate of Recordation at the United States Copyright Office (the "<u>Copyright Office</u>") on October 6, 2017 at Volume 9943 Doc. No. 179 (the "<u>Copyright Notice</u>"; together with the Trademark Notice #1, the Trademark Notice #2 and the Patent Notice, the "Notices");

**NOW, THEREFORE,** for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Administrative Agent, without representation, warranty, or recourse, hereby terminates the Notices, and hereby terminates, cancels, and releases its security interest in and to the Released Collateral granted pursuant to the Security Agreements. Administrative Agent hereby acknowledges that this Release may be filed along with any other necessary documentation with the USPTO, the Copyright Office or any other governmental office to evidence the release granted herein at the sole expense of the Grantors. Administrative Agent authorizes the Grantors or their designees to record this Release with the USPTO, the Copyright Office and any other applicable registry at the sole expense of the Grantors.

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# Schedule A

# **Released Collateral**

(see attached)

# SCHEDULE I TO TRADEMARK SECURITY AGREEMENT

GRANTOR	Mark	SERIAL / REGISTRATION NO.	FILING / REGISTRATION DATE	Status
Crownpeak Technology, Inc.	CROWNPEAK	78/504,018 3,028,518	10/21/2004 12/13/2005	Registered
Crownpeak Technology, Inc.	MANAGE CONTENT NOT TECHNOLOGY	78/504,026 3,045,497	10/21/2004 1/17/2006	Registered
Crownpeak Technology, Inc.	WEB CONTENT OPTIMIZER	85/119,143 3,936,054	08/30/2010 03/22/2011	Registered Renewal due 09/22/17 (non- extendible).
Crownpeak Technology, Inc.	CROWNPEAK WEB CONTENT OPTIMIZER	85/119,142 4,005,140	08/30/2010 08/02/2011	Registered Renewal due 08/02/17 (extendible).
Crownpeak Technology, Inc.	ENSURING YOUR WEB CONTENT SUCCESS	85/119,158 4,005,141	08/30/2010 08/02/2011	Registered Renewal due 08/02/17 (extendible).
Crownpeak Technology, Inc.	THE DIGITAL EXPERIENCE LAYER	87/091,752 N/A	07/01/2016 N/A	Pending  Response to Office Action due 10/27/2017 (non- extendible).
Crownpeak Technology, Inc.	DXL INVOKE	87/198,091 N/A	10/10/2016 N/A	Pending  Response to Office Action due 07/19/2017 (non- extendible).
Crownpeak Technology, Inc.	DXL INGEST	87/198,111 N/A	10/10/2016 N/A	Pending  Response to Office Action due 07/19/2017 (non- extendible).
Crownpeak Technology, Inc.	DXL INJECT	87/198,097 N/A	10/10/2016 N/A	Pending

GRANTOR	MARK	SERIAL / REGISTRATION NO.	FILING/ REGISTRATION DATE	STATUS
Crownpeak Technology, Inc.	WEB EXPERIENCE MANAGEMENT	N/A N/A	N/A N/A	Common Law
Crownpeak Technology, Inc.	CrownPeak	N/A N/A	N/A N/A	Common Law
Crownpeak Technology, Inc.		N/A N/A	N/A N/A	Common Law
Crownpeak Technology, Inc.		N/A N/A	N/A N/A	Common Law
Crownpeak Technology, Inc.		N/A N/A	N/A N/A	Common Law
Crownpeak Technology, Inc.		N/A N/A	N/A N/A	Common Law
Crownpeak Technology, Inc.		N/A N/A	N/A N/A	Common Law
Crownpeak Technology, Inc.	crownpeak	N/A N/A	N/A N/A	Common Law

# SCHEDULE 1

### TO

# INTELLECTUAL PROPERTY SECURITY AGREEMENT

# I. Copyrights and Copyright Applications

TITLE	REGISTRATION	PUBLICATION/	APP/REGISTRATION	OWNER OF
	NUMBER	CREATION DATE	DATE	RECORD
Evidon TrackerMap Graphs	Vau 1-136-576	Publication Date: N/A Creation Date: 2012	Registered 4/3/2013	Evidon, Inc.

# II. Patents and Patent Applications

Patent Number / Application Number	Title	Country	Evidon Product	Registration Date / Application Date	Owner of Record
9,361,631 12/971,588	Managing and Monitoring Digital Advertising	U.S.	Consent & Monitoring	June 7, 2016 December 17, 2010	Evidon, Inc.
8,898,808 14/152,480	System and Method for Assessing Effectiveness of Online Advertising	U.S.	Monitoring	November 25, 2014 January 10, 2014	Evidon, Inc.
15/166,678 (continuation)	Systems and Methods for Configuring and Presenting Notices to Viewers of Electronic Ad Content Regarding Targeted Advertising Techniques Used by Internet Advertising Entities	U.S.	Consent & Monitoring [harvesting Ad Notice collision claims from issued patent]	May 27, 2016	Evidon, Inc.
15/059,296	Methods, Apparatus, and Systems for Surveillance of Third-Party Digital Technology Vendors Providing Secondary Content in a Content Publisher's Web Page	U.S.	Monitoring / MCM	March 2, 2016	Evidon, Inc.

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PCT/US2016/0205 31	Methods, Apparatus, and Systems for Surveillance of Third-Party Digital Technology Vendors Providing Secondary Content in an Internet Content Publisher's Web Page	International	Monitoring / MCM	March 2, 2016	Ghostery, Inc.
13/968,098	Systems and Methods for Discovering Sources of Online Content	U.S.	Monitoring / Trackermap  [expecting Final Office Action, potentially issuance shortly]	August 15, 2013	Evidon, Inc.
14/465,389	System and Method for Controlling Targeted Advertising	U.S.	Consent / Ad Control  [many of the claims of this application are protected under issued U.S. Patent No. 9,361,631, but worth continuing to ensure we do not lose any subject matter that may not be included under the issued patent]	August 21, 2014	Evidon, Inc.
2014308743	A System and Method for Controlling Targeted Advertising	Australia	Consent / Ad Control [see U.S. Application 14/465,389 above]	August 21, 2014	Evidon, Inc.
2919393	System and Method for Controlling Targeted Advertising	Canada	Consent / Ad Control [see U.S. Application 14/465,389 above]	August 21, 2014	Evidon, Inc.

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14771984.3	A System and Method for Controlling Targeted Advertising	EU	Consent / Ad Control [see U.S. Application 14/465,389 above]	August 21, 2014	Ghostery, Inc.
2016-536454	System and Method for Controlling Targeted Advertising	Japan	Consent / Ad Control [see U.S. Application 14/465,389 above]	August 21, 2014	
15/096,220	Methods, Apparatus, and Systems for Providing Notice of Digital Tracking Technologies in Mobile Apps on Mobile Devices, and for Recording User Consent in Connection with Same	US	Consent / AppNotice	April 11, 2016	Evidon, Inc.
PCT/US16/26994	Methods, Apparatus, and Systems for Providing Notice of Digital Tracking Technologies in Mobile Apps on Mobile Devices, and for Recording User Consent in Connection with Same	International	Consent / AppNotice	April 11, 2016	Ghostery, Inc.

# III. <u>Trademarks and Trademark Applications</u>

TRADEMARK / COUNTRY	APPLICATION/ REGISTRATION NO.	HISTORY & CURRENT STATUS	NEXT ACTION DUE	OWNER OF RECORD
EVIDON United States	Application Serial No. 85137448 Registration No. 4115791	Filed 9/24/10 (intent-to-use) First use: 1/2011 Registered 3/20/12	Declaration of Use due 3/20/18 Renew registration by 3/20/22	Evidon, Inc.
EVIDON INFORM United States	Application Serial No. 85165889	Filed 11/1/10 First use: 1/2011	Declaration of Use due 3/20/18	Evidon, Inc.

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TRADEMARK/ COUNTRY	APPLICATION/ REGISTRATION NO.	HISTORY & CURRENT STATUS	NEXT ACTION DUE	OWNER OF RECORD
	Registration No. 4115842	Registered 3/20/12	Renew registration by 3/20/22	
HACK THE TRACKERS United States	Application Serial No. 86127987 Registration No. 4701542 Supplemental Register	Filed 11/25/13  Date Amended to Supp Reg: 1/8/15  First use: 11/2013  Registered 3/10/15	Declaration of Use due 3/10/21 Renew registration by 3/10/25	Evidon, Inc.
TRACKERMAP  United States	Application Serial No. 85896269 Registration No. 4569336	Filed 4/5/13 First use: 1/2014 Registered 7/15/14	Declaration of Use due 7/15/20 Renew registration by 7/15/24	Evidon, Inc.
EVIDON Australia	Registration No. 1535245	Filed 1/10/13 Registered 7/31/13	Renew registration by 7/31/23	Evidon, Inc.
TRACKERMAP Canada	Application No. 1646395 Registration No. TMA913349	Filed 10/3/13 (claiming 4/5/13 US priority date) Registered 9/8/15	Use in Canada by 9/8/18 Renew registration by 9/8/30	Ghostery, Inc.
EVIDON  European  Community	Application / Registration No. 9818022	Filed 3/17/11(claiming U.S. priority date of 9/24/10) Registered 8/29/11	Renew registration by 3/17/21	Ghostery, Inc.
TRACKERMAP  European Union	Application / Registration No. 12197968	Filed 10/4/13 (claiming 4/5/13 US priority date) Registered 2/26/14	Use in EU by 2/26/19 Renew registration by 10/4/23	Ghostery, Inc.
EVIDON Japan	Application No. 2013-001103 Registration No. 5583375	File 1/10/13 Registered 5/17/13	Renew registration by 5/17/23	Ghostery, Inc.

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TRADEMARK / COUNTRY	APPLICATION/ REGISTRATION NO.	HISTORY & CURRENT STATUS	NEXT ACTION DUE	OWNER OF RECORD
EVIDON Turkey	Application / Registration No. 2013 10124	Filed 2/4/13 Registered 2/12/14	Use in Turkey by 2/12/19 Renew registration by 2/4/23	Ghostery, Inc.

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**RECORDED: 03/01/2019**