

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
 Stylesheet Version v1.2

ETAS ID: TM514945

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	Release of Security Interest Recorded at Reel/Frame : 5272-0316		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Bank of America, N.A.		03/08/2019	National Banking Association: UNITED STATES
RECEIVING PARTY DATA			
Name:	DAYTON SUPERIOR CORPORATION		
Street Address:	1125 Byers Road,		
City:	Miamisburg		
State/Country:	OHIO		
Postal Code:	45342		
Entity Type:	Corporation: DELAWARE		
PROPERTY NUMBERS Total: 6			
Property Type	Number	Word Mark	
Registration Number:	2886090	UNITEX	
Registration Number:	3108060	Q-2	
Registration Number:	3717385		
Registration Number:	3717386	EARTH FRIENDLY	
Registration Number:	4311939	SYM-PLY	
Registration Number:	4528413	DBDI	
CORRESPONDENCE DATA			
Fax Number:	3128622200		
<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>			
Phone:	3128623837		
Email:	raza.siddiqui@kirkland.com		
Correspondent Name:	Raza Siddiqui		
Address Line 1:	300 N. Lasalle		
Address Line 2:	Kirkland & Ellis LLP		
Address Line 4:	Chicago, ILLINOIS 60654		
ATTORNEY DOCKET NUMBER:	11221-11		
NAME OF SUBMITTER:	Raza Siddiqui		
SIGNATURE:	/razasiddiqui/		

CH \$165.00 2886090

DATE SIGNED:	03/19/2019
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Total Attachments: 10

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RELEASE OF TRADEMARK SECURITY INTEREST

This **RELEASE OF TRADEMARK SECURITY INTEREST** (this “**Release**”), dated as of March 8, 2019, is entered into between **BANK OF AMERICA, N.A.**, as agent for the Secured Parties (in such capacity, the “**Assignor**”) and **DAYTON SUPERIOR CORPORATION**, a Delaware Corporation (the “**Assignee**”).

W I T N E S S E T H:

WHEREAS, Assignee, the financial institutions party thereto as lenders, the other Obligors party thereto and the Assignor entered into that certain Loan and Guaranty Agreement, dated as of October 26, 2009 (as amended and restated in that certain Amended and Restated Credit Agreement dated as of June 28, 2012, by the financial institutions party thereto as lenders, the other Obligors party thereto and the Assignor, and as further as amended, restated or otherwise modified prior to the date hereof, the “**Existing Credit Agreement**”);

WHEREAS, the Assignee, the other Grantors party thereto and the Assignor are parties to that certain Pledge and Security Agreement, dated as of October 26, 2009 (as amended, supplemented, or otherwise modified from time to time, the “**Security Agreement**”) pursuant to which each Grantor granted to the Assignor a security interest and continuing lien on all of such Grantor’s right, title and interest in, to and under all Collateral, including the Trademark Collateral (as defined below), in each case whether now owned or existing or hereafter acquired or arising and wherever located, to secure the prompt and complete payment and performance of all Secured Obligations;

WHEREAS, the Existing Credit Agreement was amended and restated in that certain Second Amended and Restated Credit Agreement dated as of July 30, 2015 (as amended, amended and restated, supplemented or otherwise modified from time to time, the “**Second Amended and Restated Credit Agreement**”) by the financial institutions party thereto as lenders, the other Obligors party thereto and the Assignor;

WHEREAS, certain Grantors entered into a new Reaffirmation Agreement and Amendment to Pledge and Security Agreement (the “**Reaffirmation Agreement**”), dated as of July 30, 2015, under which the Reaffirming Parties (as defined in the Reaffirmation Agreement) agreed, among other things, to reaffirm the Reaffirmed Agreements (as defined in the Reaffirmation Agreement) to which they are a party, the Liens granted thereunder and the other rights and obligations of each Person party thereto;

WHEREAS, Assignor and Assignee have entered into that certain Trademark Security Agreement, dated as of October 26, 2009, and recorded on October 30, 2009 with the United States Patent and Trademark Office at reel 4088, frame 0454 (the “**2009 Trademark Security Agreement**”), that certain Supplemental Trademark Security Agreement, dated as of September 28, 2010, and recorded on September 30, 2010 with the United States Patent and Trademark Office at reel 4286, frame 0956 (the “**2010 Trademark Security Agreement**”), that certain Trademark Security Agreement, dated as of June 28, 2012, and recorded on July 27, 2012 with the United States Patent and Trademark Office at reel 4830, frame 0637 (the “**2012 Trademark Security Agreement**”), that certain Supplemental Trademark Security Agreement, dated as of May 1, 2014, and recorded on May 1, 2014, with the United States Patent and Trademark Office at reel 5272, frame 0316 (the “**2014 Trademark Security Agreement**”) and that certain Trademark Security Agreement, dated as of July 30, 2015, not recorded with the United States Patent and Trademark Office (the “**2015 Trademark Security Agreement**”, together with the

2009 Trademark Security Agreement, the 2010 Trademark Security Agreement, the 2012 Trademark Security Agreement, the 2014 Trademark Security Agreement, the “**Trademark Security Agreements**”); and

WHEREAS, Assignor wishes to release and terminate its security interest and continuing lien on all of each Grantor’s right, title and interest in, to and under all Trademark Collateral.

NOW, THEREFORE, in consideration of the premises and the agreements, provisions and covenants herein contained, Assignor agrees as follows:

Section 1. Defined Terms.

Unless otherwise defined herein, capitalized terms defined in the Security Agreement or the Trademark Security Agreements and used herein have the meaning given to them in the Security Agreement or Trademark Security Agreements, as applicable.

Section 2. Termination and Release. Assignor, without representation or warranty, hereby:

(a) terminates, cancels, discharges and releases the security interest and continuing lien on all of each Grantor’s right, title and interest in, to and under the following (collectively, the “**Trademark Collateral**”): all United States, State and foreign trademarks, service marks, certification marks, collective marks, trade names, corporate names, d/b/as, business names, fictitious business names, Internet domain names, trade styles, logos, other source or business identifiers, designs and general intangibles of a like nature and, with respect to any and all of the foregoing: (i) all registrations and applications therefor including, but not limited to, the registrations and applications referred to in Schedule I hereto, (ii) the goodwill of the business symbolized thereby, (iii) all rights corresponding thereto throughout the world, (iv) all rights to sue for past, present and future infringement or dilution thereof or for any injury to goodwill, (v) all licenses, claims, damages, and proceeds of suit arising therefrom, and (vi) all payments and rights to payments arising out of the sale, lease, license, assignment or other disposition thereof; and

(b) authorizes the recordation of this Release with the United States Patent and Trademark Office.

Section 3. GOVERNING LAW

THIS RELEASE SHALL BE GOVERNED BY THE LAWS OF THE STATE OF NEW YORK WITHOUT GIVING EFFECT TO ANY CONFLICT OF LAW PRINCIPLES THAT WOULD RESULT IN THE APPLICATION OF THE LAWS OF ANOTHER JURISDICTION (BUT GIVING EFFECT TO FEDERAL LAWS RELATING TO NATIONAL BANKS).

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Assignor has caused this Release to be duly executed and delivered by its duly authorized officer as of the date first set forth above.

BANK OF AMERICA, N.A.,
as Assignor

By: 

Name: Philip Nomura

Title: Senior Vice President

Trademark Release

TRADEMARK
REEL: 006594 FRAME: 0426

**SCHEDULE I
TO TRADEMARK SECURITY AGREEMENT**

2009 TRADEMARK SECURITY AGREEMENT

<u>OWNER</u>	<u>MARK</u>	<u>REG. NO.</u>
Dayton Superior Corporation	AHT MASTER	2877957
Dayton Superior Corporation	ALL-PATCH	1695347
Dayton Superior Corporation	AMERICAN HIGHWAY TECHNOLOGY	2536888
Dayton Superior Corporation	AQUAFILM	2927934
Dayton Superior Corporation	AZTEC	2026640
Dayton Superior Corporation	AZTEC (STYLIZED)	2026641
Dayton Superior Corporation	BAR LOCK	2477213
Dayton Superior Corporation	BIO-RELEASE EF	3577459
Dayton Superior Corporation	CASTLE CHAIR REBAR SUPPORTS & Design	2136857
Dayton Superior Corporation	COLLEGE OF KNOWLEDGE	3333416
Dayton Superior Corporation	CONPATCH V/O	3561926
Dayton Superior Corporation	CONPLATE	1695161
Dayton Superior Corporation	CONSHAKE	1749695
Dayton Superior Corporation	CONSPEC	1872124
Dayton Superior Corporation	CONSPEC 100	1687147
Dayton Superior Corporation	CONSPEC ENDURO 50	1747797
Dayton Superior Corporation	CONSPECIFIER	2770741
Dayton Superior Corporation	COREWALL	2254802
Dayton Superior Corporation	CURE & LIFT EF	3648375
Dayton Superior Corporation	DAY-CHEM	1177246
Dayton Superior Corporation	DAYTON ACCESS	3645214
Dayton Superior Corporation	DAYTON SUPERIOR & Design	1287643
Dayton Superior Corporation	DAYTON/RICHMOND	2619423
Dayton Superior Corporation	Design Only (CONSPEC Design)	1934555
Dayton Superior Corporation	DUR-O-WEB	1239157
Dayton Superior Corporation	EARTH FRIENDLY	3681671
Dayton Superior Corporation	EDOCO	2658475
Dayton Superior Corporation	ELASTO-TEX	1273527
Dayton Superior Corporation	E-Z CHAIR	1511787
Dayton Superior Corporation	FLEX-FORM	1481622
Dayton Superior Corporation	FORMC@D	3054460
Dayton Superior Corporation	GR	2662602
Dayton Superior Corporation	GREEN BEAN CLEAN	3655250
Dayton Superior Corporation	GYRO LIFT	1538915
Dayton Superior Corporation	GYRO TILT PLUS	2301428
Dayton Superior Corporation	HOLZIN	2884723
Dayton Superior Corporation	IRONSHINE	3259224

Dayton Superior Corporation	IRONSHINE HG	3561927
Dayton Superior Corporation	JAHN	0846110
Dayton Superior Corporation	JAHN & Design	0751913
Dayton Superior Corporation	LEVELAYER	1397671
Dayton Superior Corporation	LPL PATCH	3655277
Dayton Superior Corporation	MAGIC KOTE & Design	0728771
Dayton Superior Corporation	MAX-A-FORM	1912991
Dayton Superior Corporation	MAX-A-PLY	1157317
Dayton Superior Corporation	POLYTITE	1871332
Dayton Superior Corporation	PRISON-LOC	2308754
Dayton Superior Corporation	RESI-CHEM	1246732
Dayton Superior Corporation	S & DIAMOND Design	0745290
Dayton Superior Corporation	S & DIAMOND Design	0760829
Dayton Superior Corporation	S & DIAMOND Design	1280346
Dayton Superior Corporation	SL	3129235
Dayton Superior Corporation	SNAPPLUGS	0899048
Dayton Superior Corporation	SPECIAL BOND CI	3655278
Dayton Superior Corporation	SPECIAL PATCH	2956123
Dayton Superior Corporation	SPECLINK	2824356
Dayton Superior Corporation	SPEED STEP	2808952
Dayton Superior Corporation	STAR	2879951
Dayton Superior Corporation	STAR LOGO	3141157
Dayton Superior Corporation	STEEL-PLY	1100771
Dayton Superior Corporation	SURE-GRIP	0798721
Dayton Superior Corporation	SURE-GRIP	1768658
Dayton Superior Corporation	SURE-GUARD	3499520
Dayton Superior Corporation	SURE-STRESS	2388601
Dayton Superior Corporation	SWIFT LIFT	1009108
Dayton Superior Corporation	SYMONS	1254958
Dayton Superior Corporation	TAPER-LOCK	3674630
Dayton Superior Corporation	TAPERLOCK & Design	3677957
Dayton Superior Corporation	THRIFT KOTE	1277614
Dayton Superior Corporation	TURBO GROUT HP	3577291
Dayton Superior Corporation	UTILITY ANCHOR	2684897
Dayton Superior Corporation	VERSIFORM	0981820
Dayton Superior Corporation	EARTH FRIENDLY & Design	3717386

2010 TRADEMARK SECURITY AGREEMENT

<u>OWNER</u>	<u>MARK</u>	<u>REG. NO.</u>
Dayton Superior Corporation	UNITEX	2886090
Dayton Superior Corporation	SMARTBOND	3094235
Dayton Superior Corporation	Q-2	3108060

2012 TRADEMARK SECURITY AGREEMENT

<u>OWNER</u>	<u>MARK</u>	<u>REG. NO.</u>
Dayton Superior Corporation	ACCUBRACE	3371777
Dayton Superior Corporation	ACCUBRACE SHORING, LLC	3368062
Dayton Superior Corporation	ACCUBRACE SHORING, LLC TOTAL BRACING SYSTEMS & Design	3375196
Dayton Superior Corporation	ARCHI-FOAM	4101544
Dayton Superior Corporation	BUILDING STRENGTH	3918157
Dayton Superior Corporation	DP	3818797
Dayton Superior Corporation	ESCO	1517188
Dayton Superior Corporation	Design Only (Hexagon Logo)	3902152
Dayton Superior Corporation	SLEEVE-LOCK	3932738
Dayton Superior Corporation	SUPROTEK	2963833
Dayton Superior Corporation	SUPROTEK	1955413
Dayton Superior Corporation	UNITEX	4043722
Dayton Superior Corporation	SYM-PLY	4311939

2014 TRADEMARK SECURITY AGREEMENT

<u>OWNER</u>	<u>MARK</u>	<u>REG. NO.</u>
Dayton Superior Corporation	UNITEX	2886090
Dayton Superior Corporation	Q-2	3108060
Dayton Superior Corporation	Globe Design	3717385
Dayton Superior Corporation	EARTH FRIENDLY & Design	3717386
Dayton Superior Corporation	SYM-PLY	4311939
Dayton Superior Corporation	DBDI	4528413

2015 TRADEMARK SECURITY AGREEMENT

<u>OWNER</u>	<u>MARK</u>	<u>REG. NO.</u>
Dayton Superior Corporation	MAGIC KOTE & Design	728,771
Dayton Superior Corporation	S AND DIAMOND Design	745,290
Dayton Superior Corporation	S AND DIAMOND Design	760,829
Dayton Superior Corporation	SURE-GRIP	798,721
Dayton Superior Corporation	JAHN	846,110
Dayton Superior Corporation	SNAPPLUGS	899,048
Dayton Superior Corporation	SWIFT LIFT	1,009,108
Dayton Superior Corporation	STEEL-PLY	1,100,771
Dayton Superior Corporation	SYMONS	1,254,958
Dayton Superior Corporation	S AND DIAMOND Design	1,280,346
Dayton Superior Corporation	DAYTON SUPERIOR & Design	1,287,643
Dayton Superior Corporation	LEVELAYER	1,397,671
Dayton Superior Corporation	FLEX-FORM	1,481,622
Dayton Superior Corporation	E-Z CHAIR	1,511,787
Dayton Superior Corporation	GYRO LIFT	1,538,915
Dayton Superior Corporation	CONSPEC 100	1,687,147
Dayton Superior Corporation	ALL-PATCH	1,695,347
Dayton Superior Corporation	CONSPEC ENDURO 50	1,747,797
Dayton Superior Corporation	SURE-GRIP	1,768,658
Dayton Superior Corporation	CONSPEC	1,872,124
Dayton Superior Corporation	MAX-A-FORM	1,912,991
Dayton Superior Corporation	MISC Design (CONSPEC Design)	1,934,555
Dayton Superior Corporation	SUPROTEK	1,955,413
Dayton Superior Corporation	AZTEC	2,026,640
Dayton Superior Corporation	AZTEC (Stylized)	2,026,641
Dayton Superior Corporation	CASTLE CHAIR REBAR SUPPORTS & Design	2,136,857
Dayton Superior Corporation	COREWALL	2,254,802
Dayton Superior Corporation	GYRO TILT PLUS	2,301,428
Dayton Superior Corporation	PRISON-LOC	2,308,754
Dayton Superior Corporation	BAR LOCK	2,477,213
Dayton Superior Corporation	AMERICAN HIGHWAY TECHNOLOGY	2,536,888
Dayton Superior Corporation	DAYTON/RICHMOND	2,619,423
Dayton Superior Corporation	EDOCO	2,658,475
Dayton Superior Corporation	GR	2,662,602
Dayton Superior Corporation	UTILITY ANCHOR	2,684,897
Dayton Superior Corporation	UNITEX	2,886,090
Dayton Superior Corporation	AQUAFILM	2,927,934
Dayton Superior Corporation	SPECIAL PATCH	2,956,123
Dayton Superior Corporation	SUPROTEK	2,963,833
Dayton Superior Corporation	Q-2	3,108,060
Dayton Superior Corporation	SL	3,129,235

Dayton Superior Corporation	ACCUBRACE SHORING, LLC	3,368,062
Dayton Superior Corporation	ACCUBRACE	3,371,777
Dayton Superior Corporation	TILT-WERKS	3,472,964
Dayton Superior Corporation	SURE-GUARD	3,499,520
Dayton Superior Corporation	CONPATCH V/O	3,561,926
Dayton Superior Corporation	IRONSHINE HG	3,561,927
Dayton Superior Corporation	MASONRY-WERKS	3,565,166
Dayton Superior Corporation	PRECAST-WERKS	3,565,167
Dayton Superior Corporation	CONCRETE-WERKS	3,565,168
Dayton Superior Corporation	TURBO GROUT	3,577,291
Dayton Superior Corporation	BIO-RELEASE EF	3,577,459
Dayton Superior Corporation	BUILDING TECHNOLOGY THAT WERKS	3,622,370
Dayton Superior Corporation	DAYTON ACCESS	3,645,214
Dayton Superior Corporation	CURE & LIFT EF	3,648,375
Dayton Superior Corporation	GREEN BEAN CLEAN	3,655,250
Dayton Superior Corporation	LPL PATCH	3,655,277
Dayton Superior Corporation	SPECIAL BOND CI	3,655,278
Dayton Superior Corporation	TAPER-LOCK	3,674,630
Dayton Superior Corporation	TAPERLOCK & Design	3,677,957
Dayton Superior Corporation	EARTH FRIENDLY	3,681,671
Dayton Superior Corporation	Globe Design	3,717,385
Dayton Superior Corporation	EARTH FRIENDLY & Design	3,717,386
Dayton Superior Corporation	DP	3,818,797
Dayton Superior Corporation	HEXAGON LOGO	3,902,152
Dayton Superior Corporation	BUILDING STRENGTH	3,918,157
Dayton Superior Corporation	SLEEVE-LOCK	3,932,738
Dayton Superior Corporation	DAYTON SUPERIOR	4,043,722
Dayton Superior Corporation	ARCHI-FOAM	4,101,544
Dayton Superior Corporation	SYM-PLY	4,311,939
Dayton Superior Corporation	DBDI	4,528,413
Universal Form Clamp, Inc.	UNIVERSAL BUILDING PRODUCTS	Wisconsin 20085900649