# CH \$90.00 315844

# TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1 Stylesheet Version v1.2 ETAS ID: TM532974

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

#### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
PNC Bank, National Association		07/09/2019	National Banking Association: UNITED STATES

#### **RECEIVING PARTY DATA**

Name:	Sunera, LLC	
Street Address:	201 E. Kennedy Boulevard	
Internal Address:	Suite 1750	
City:	Tampa	
State/Country:	FLORIDA	
Postal Code:	33602	
Entity Type:	Limited Liability Company: FLORIDA	
Name:	ANRC, LLC	
Street Address:	5309 Wurzbach Road	
Internal Address:	Suite 101	
City:	San Antonio	
State/Country:	TEXAS	
Postal Code:	78238	
Entity Type: Limited Liability Company: TEXAS		
Name:	APTEC, LLC	
Street Address:	201 E. Kennedy Boulevard	
Internal Address:	Suite 1750	
City:	Татра	
State/Country:	FLORIDA	
Postal Code:	33602	
Entity Type:	Limited Liability Company: DELAWARE	

### **PROPERTY NUMBERS Total: 3**

Property Type	Number	Word Mark
Registration Number:	3158443	SUNERA
Registration Number:	4749871	THREAT PERCEPTION
Registration Number:	3444400	APTEC

TRADEMARK REEL: 006700 FRAME: 0029

**CORRESPONDENCE DATA** 

**Fax Number:** 4155911400

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:** 4155911000

Email: LMFIPTeam@winston.com

Correspondent Name: Laura M. Franco, Winston & Strawn LLP

Address Line 1: 101 California Street

Address Line 4: San Francisco, CALIFORNIA 94111

NAME OF SUBMITTER:	Laura M. Franco	
SIGNATURE:	/Laura M. Franco/	
DATE SIGNED:	07/22/2019	

#### **Total Attachments: 4**

source=PNC to Sunera et al security release#page1.tif source=PNC to Sunera et al security release#page2.tif source=PNC to Sunera et al security release#page3.tif source=PNC to Sunera et al security release#page4.tif

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# TERMINATION AND RELEASE OF SECURITY INTEREST IN UNITED STATES PATENTS, TRADEMARKS AND COPYRIGHTS

THIS TERMINATION AND RELEASE OF SECURITY INTEREST IN UNITED STATES PATENTS, TRADEMARKS, AND COPYRIGHTS (this "IP Release") is made as of July 9th, 2019 by PNC BANK, NATIONAL ASSOCIATION, as a Lender and as administrative agent for the Lenders (in such capacity, the "Administrative Agent") in favor of CYBER RISK MANAGEMENT, LLC, a Delaware limited liability company ("Holdings"), SUNERA LLC, a Florida limited liability company ("Sunera"), ANRC, LLC, a Texas limited liability company ("ANRC"), and APTEC, LLC, a Delaware limited liability company, as a Guarantor ("APTEC"); and PNC BANK, NATIONAL ASSOCIATION, as a Lender and as administrative agent for the Lenders (in such capacity, the "Administrative Agent").

#### **BACKGROUND**

- A. The Borrowers (as defined in the Credit Agreement), the other Loan Parties (as defined in the Credit Agreement) party thereto, the Lenders and the Administrative Agent are parties to that certain Credit Agreement, dated as of November 25, 2014, as amended by that certain First Amendment to Credit Agreement, dated as of December 24, 2015, as further amended by that certain Second Amendment to Credit Agreement, Limited Waiver and Joinder Agreement, dated of April 7, 2017, as further amended by that certain Third Amendment to Credit Agreement and Limited Waiver dated November 24, 2017, as further amended by that certain Fourth Amendment to Credit Agreement and Limited Waiver dated November 24, 2018 as further amended by that certain Fifth Amendment to Credit Agreement and Limited Waiver dated April 3, 2019 and as the same may be further amended, restated, refinanced, supplemented or otherwise modified from time to time, the "Credit Agreement"), pursuant to which the Administrative Agent has agreed to make one or more loans or other extensions of credit to the Borrowers upon the terms and conditions set forth therein (the "Loans").
- B. To secure the repayment of the Loans, Holdings, Sunera, Sunera Canada Holding, LLC, a Delaware limited liability company Sunera PCI Services LLC, a Florida limited liability company, ANRC and the Administrative Agent entered into that certain Patent, Trademark and Copyright Security Agreement, dated November 25, 2014, pursuant to which ANRC and Sunera granted a security interest to the Administrative Agent in certain Patents and Trademarks as set forth therein which agreement was amended pursuant to that certain Supplement to Patent, Trademark and Copyright Security Agreement, dated December 24, 2015 (as amended, the "<u>PP Security Agreement</u>") to add an additional trademark to the collateral set forth in the IP Security Agreement such that the Patents and Trademarks noted on Annex 1 hereto were given as collateral (the "IP Collateral") pursuant to the IP Security Agreement to secure the repayment of the Loans and the other obligations under the Credit Agreement.
- C. The Borrowers have elected to refinance the Loans with third party lender and, accordingly, have requested the Administrative Agent to release the collateral securing the Loans upon payment in full of all amounts due under the Loans and the Credit Agreement.

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TRADEMARK REEL: 006700 FRAME: 0031 **NOW, THEREFORE,** in consideration of the mutual covenants herein contained and intending to be legally bound hereby, the parties hereto agree that any capitalized terms used in this Amendment without definition shall have the meanings assigned to those terms in the Loan Documents, and do further agree as follows:

- 1. Release of Security Interest. Administrative Agent hereby releases the security interest in the IP Collateral and hereby relinquishes all its rights, powers, privileges and remedies with respect to such IP Collateral.
- 2. Recordation of IP Release. This IP Release has been executed and delivered by Administrative Agent for the purpose of recording the release of the IP Collateral with the United States Patent and Trademark Office. Administrative Agent hereby authorizes and requests that the Commissioner of Patents and Trademarks record this IP Release.
- 3. <u>Further Assurances</u>. Administrative Agent shall, at no expense to Administrative Agent, and at Assignee's reasonable request, execute and deliver to Borrowers all further releases and other documents (including but not limited to Uniform Commercial Code termination statements), and take all other actions reasonably necessary for the release of the Security Interest.

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# ADMINISTRATIVE AGENT, LENDER AND **ISSUING LENDER:**

PNC BANK, NATIONAL ASSOCIATION, in its capacities as a Lender, Issuing Lender and Administrative Agent

Name: Wendy M. Nelson

Title:

Vice President

# Annex 1

# LIST OF REGISTERED PATENTS AND TRADEMARKS

# **PATENTS**

Owner	Title	Registration Date (Application Date)/ Issued Date	Status	Application/ Registration No.
ANRC, LLC	Threat Perception Security Software System	5/8/2014	Provisional Patent	61/990,179

# **TRADEMARKS**

Owner	Title	Filing Date/ Issued Date	Registration No. (Application No.)	Application/ Registration No.
Sunera, LLC	SUNERA	11/26/2005/10/17/2006	Live	3158443
ANRC, LLC	Threat Perception	7/09/14 [TO FOLLOW]	App Pending	[TO FOLLOW]
	Threat Nebula	7/09/14 [TO FOLLOW]	App Pending	[TO FOLLOW]
	Threat Trap	7/09/14 [TO FOLLOW]	App Pending	[TO FOLLOW]
	Threat Receptor	7/09/14 [TO FOLLOW]	App Pending	[TO FOLLOW]
APTEC, LLC	APTEC	September 14, 2007	Live	3444400

# **TRADENAMES**

Debtor	Trade/Assumed Names	
Cyber Risk Management, LLC	None	
Sunera LLC	"Sunera" and "Sunera Limited Liability Company"	
Sunera Canada Holding, LLC	None	
ANRC, LLC	"ANRC"	

# **COPYRIGHTS**

Debtor	Title	Filing Date/Issued Date	Status	Application/ Registration No.
None				

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**RECORDED: 07/22/2019** 

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