# CH \$715.00 4347513

# TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1 Stylesheet Version v1.2 ETAS ID: TM533213

| SUBMISSION TYPE:      | NEW ASSIGNMENT  |
|-----------------------|---|
| NATURE OF CONVEYANCE: | RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY - Release of Reel 6270 Frame 0101 |

# **CONVEYING PARTY DATA**

| Name           | Formerly | Execution Date | Entity Type |
|----------------|----------|----------------|-------------|
| CITIBANK, N.A. |          | 07/23/2019     | Bank:       |

### **RECEIVING PARTY DATA**

| Name:           | DELTA PLASTICS OF THE SOUTH, LLC  |
|-----------------|---|
| Street Address: | 8801 Frazier Pike   |
| City:           | Little rock   |
| State/Country:  | ARKANSAS  |
| Postal Code:    | 72206   |
| Entity Type:    | Limited Liability Company: ARKANSAS                                       |
| Name:           | Command Packaging, LLC, as Successor in Interest to Grand Packaging, Inc. |
| Street Address: | 8801 Frazier Pike   |
| City:           | Little rock   |
| State/Country:  | ARKANSAS  |
| Postal Code:    | 72203   |
| Entity Type:    | Limited Liability Company: CALIFORNIA                                     |
| Name:           | Command Packaging, LLC  |
| Street Address: | 8801 Frazier Pike,  |
| City:           | Little rock   |
| State/Country:  | ARKANSAS  |
| Postal Code:    | 72206   |
| Entity Type:    | Limited Liability Company: CALIFORNIA                                     |
| Name:           | Revolution Bag, LLC   |
| Street Address: | 8801 Frazier Pike   |
| City:           | Little rock   |
| State/Country:  | ARKANSAS  |
| 1               |   |
| Postal Code:    | 72206   |

**PROPERTY NUMBERS Total: 28** 

TRADEMARK REEL: 006701 FRAME: 0326

900507846

| Property Type        | Number   | Word Mark                                |
|----------------------|----------|--|
| Registration Number: | 4347513  | PIPE PLANNER EFFICIENT IRRIGATION MANAGE |
| Registration Number: | 4343341  | PIPE PLANNER EFFICIENT IRRIGATION MANAGE |
| Registration Number: | 3148656  | AMERITOTE                                |
| Registration Number: | 2631108  | GREAT TO GO DISTINCTIVE CARRYOUT BAGS    |
| Registration Number: | 2777660  | CARRYOUT CAFE SERVING THE ULTIMATE CARRY |
| Registration Number: | 2999379  | CUSTOM BAG EXPRESS                       |
| Registration Number: | 2314052  | SUPER WAVE                               |
| Registration Number: | 2318712  | SUPER SATIN                              |
| Registration Number: | 2314053  | SUPER GLOSS                              |
| Registration Number: | 2648451  | PLASTIC PLUS+                            |
| Registration Number: | 3461026  | ENCORE                                   |
| Registration Number: | 3391433  | RESTAURANTBAGS.COM                       |
| Registration Number: | 3449289  | ENJOY! RE-USE & RECYCLE GIVE EARTH A SEC |
| Registration Number: | 3479883  | REUSABLEDON'T THROW THIS BAG AWAY        |
| Registration Number: | 3519692  | YOUR RESTAURANT HAS AN IMAGE YOUR BA     |
| Registration Number: | 3523727  | 100% RECYCLABLE MADE IN USA REUSABLE     |
| Registration Number: | 3885380  | ENCORE                                   |
| Registration Number: | 3892514  | RESTAURANTBAGSCOM                        |
| Registration Number: | 3930465  | REUSABLE                                 |
| Registration Number: | 3997141  | ENCORE STONE                             |
| Registration Number: | 4167011  | COMMAND PACKAGING                        |
| Registration Number: | 4457905  | SMARTERBAGS   REUSABLE                   |
| Registration Number: | 4527885  | I CALI                                   |
| Registration Number: | 4559701  | ENCORE RECYCLING                         |
| Registration Number: | 4662548  | COMMAND PACKAGING                        |
| Serial Number:       | 87586721 | DELIVER SAFE                             |
| Registration Number: | 4688463  | R REVOLUTION BAG                         |
| Registration Number: | 4721646  | HERCULES                                 |

### **CORRESPONDENCE DATA**

**Fax Number:** 2123108007

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:** 212.310.8000

**Email:** juan.arias@weil.com

Correspondent Name: Nick Nikic

Address Line 1: Weil, Gotshal & Manges LLP

**Address Line 2:** 767 Fifth Avenue

Address Line 4: New York, NEW YORK 10153

| ATTORNEY DOCKET NUMBER:                 | N.Nikic-35899.0587                             |
|---|--|
| NAME OF SUBMITTER:                      | Nick Nikic                                     |
| SIGNATURE:                              | /Nick Nikic/                                   |
| DATE SIGNED:                            | 07/23/2019                                     |
| Total Attachments: 8                    |  |
| source=Delta Plastics - Executed ABL II | P Release (Jul 2019)_WEIL_97126465_1#page1.tif |
| source=Delta Plastics - Executed ABL II | P Release (Jul 2019)_WEIL_97126465_1#page2.tif |
| source=Delta Plastics - Executed ABL II | P Release (Jul 2019)_WEIL_97126465_1#page3.tif |
| source=Delta Plastics - Executed ABL II | P Release (Jul 2019)_WEIL_97126465_1#page4.tif |

source=Delta Plastics - Executed ABL IP Release (Jul 2019)\_WEIL\_97126465\_1#page5.tif source=Delta Plastics - Executed ABL IP Release (Jul 2019)\_WEIL\_97126465\_1#page6.tif source=Delta Plastics - Executed ABL IP Release (Jul 2019)\_WEIL\_97126465\_1#page7.tif source=Delta Plastics - Executed ABL IP Release (Jul 2019)\_WEIL\_97126465\_1#page8.tif

# RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY

THIS RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY (this "Release"), dated as of July 23, 2019, is made by CITIBANK, N.A. (the "Secured Party") in favor of Delta Plastics of the South, LLC, an Arkansas limited liability company ("Delta"), Revolution Bag, LLC, an Arkansas limited liability company ("Revolution" and, together with Delta, the "Borrowers"), and Command Packaging, LLC, a California limited liability company ("Command" and, together with the Borrowers, each a "Grantor" and collectively, the "Grantors").

# **RECITALS:**

WHEREAS, pursuant to the Credit Agreement, dated as of January 30, 2018, by and among, *inter alios*, the Grantors and the Secured Party (including all annexes, exhibits and schedules thereto, and as the same has been amended, restated, amended and restated, supplemented or otherwise modified from time to time, the "Credit Agreement"; terms used herein but not defined herein shall have their respective meanings ascribed thereto in the Credit Agreement), the Secured Party agreed to make extensions of credit to the Borrowers upon the terms and subject to the conditions set forth therein;

WHEREAS, pursuant to (i) the Security Agreement, dated as of January 30, 2018 (as the same has been amended, restated, amended and restated, supplemented or otherwise modified from time to time, the "Security Agreement"), among the Borrowers, the other Loan Parties party thereto and the Secured Party and (ii) the Intellectual Property Security Agreement, dated as of January 30, 2018 (as the same has been amended, restated, amended and restated, supplemented or otherwise modified from time to time, the "Intellectual Property Security Agreement"), among the Borrowers, the other Loan Parties party thereto and the Secured Party, the Grantor secured the Secured Obligations by granting to the Secured Party a continuing security interest (the "Security Interest") in, among other personal property and assets, all of such Grantor's right, title and interest in, to and under, whether then owned or existing or thereafter acquired or arising, all Patents, Patent applications, Patent Licenses to which it is a party, Trademarks, Trademark licenses to which it is a party, Copyrights and Copyright Licenses to which it is a party (collectively, the "Intellectual Property Collateral").

WHEREAS, the Intellectual Property Security Agreement was recorded with the United States Patent and Trademark Office on January 30, 2018 at the Reel/Frame numbers set forth on Schedule I hereto;

WHEREAS, the Intellectual Property Security Agreement was recorded with the United States Copyright Office on January 30, 2018 at the document number set forth on Schedule II hereto;

WHEREAS, the Secured Party has agreed to execute and deliver this Release to evidence the release of all of its Security Interests in all of the Intellectual Property Collateral; and

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

The Secured Party, without any representation or warranty, express or implied and without recourse of any kind including without limitation the validity, existence or liens of the Secured Party in and to any of the Intellectual Property Collateral or whether any disposition or release of the liens of any of the Intellectual Property Collateral has previously occurred or been recorded, hereby forever terminates, releases, cancels and discharges all Security Interests in all of the Intellectual Property Collateral, including, without limitation, each Patent registration and application and each Trademark registration referred to in Schedule I hereto, in each case, at the Reel/Frame numbers set forth thereon,

WFIL:\97114263\4\35899.0587

and each Copyright registration and application referred to in Schedule II hereto at the document number set forth thereon, together in each case with the goodwill of the business connected with the use of, and symbolized by such Intellectual Property Collateral. If and to the extent the Secured Party has acquired any right, title or interest in or to any Intellectual Property Collateral, the Secured Party, without any representation, warranty or recourse of any kind, hereby irrevocably re-assigns, re-transfers and reconveys such right, title or interest to the Grantors. The Secured Party, without representation or warranty of any kind, terminates any filings against any of the Intellectual Property Collateral made and delivered for recording with the United States Patent and Trademark Office and the United States Copyright Office under and in accordance with the Intellectual Property Security Agreement.

The Secured Party will take such further reasonable action as may be reasonably requested by Grantors to confirm the release of Secured Party's security interest and to acknowledge (to the Secured Party's knowledge without investigation) the Grantors' ownership of all right, title and interest in and to the Intellectual Property Collateral, together in each case with the goodwill of the business connected with the use of, and symbolized by, the Intellectual Property Collateral, at the sole cost and expense of the Grantors.

THE PARTIES HERETO AUTHORIZE AND REQUEST THAT EACH OF THE COMMISSIONER OF PATENTS AND TRADEMARKS OF THE UNITED STATES AND THE REGISTER OF COPYRIGHTS OF THE UNITED STATES RECORD THIS RELEASE.

[SIGNATURE PAGE FOLLOWS]

WEIL:\97114263\4\35899.0587

IN WITNESS WHEREOF, the Secured Party has caused this Release to be executed by its officer thereunto duly authorized as of the date first written above.

CITIBANK, N.A., as Secured Party

By: \_\_\_

Title: <

[Signature Page to IP Security Agreement Release (ABL)]

### SCHEDULE I

1. Intellectual Property Security Agreement, dated as of January 30, 2018, by Delta Plastics of the South, LLC, an Arkansas limited liability company, Revolution Bag, LLC, an Arkansas limited liability company, Command Packaging, LLC, a California limited liability company, and Citibank, N.A., as secured party, recorded at Reel/Frame 045284/0809.

### a. Patents

| Owner                                  | Title  | Application<br>Number | Application<br>Date | Patent<br>Number | Issue<br>Date | Reel/Frame<br>Number |
|--|--|-----------------------|---------------------|------------------|---------------|----------------------|
| Delta Plastics<br>of the South,<br>LLC | PRE-WASH APPARATUS FOR RECYCLING HEAVILY CONTAMINATED POLYMER TUBING | 08811015              | 3/4/97              | 5853013          | 12/29/98      | 045284/0809          |
| Delta Plastics<br>of the South,<br>LLC | ROLLED FILM<br>AND PALLET<br>CONSTRUCTION                            | 10796676              | 3/9/04              | 7124889          | 10/24/06      | 045284/0809          |
| Command<br>Packaging,<br>LLC           | SECURE FOOD<br>TRANSPORT<br>BAGS                                     | US 17/41781           | 07/12/17            |                  |               | 045284/0809          |

2. Intellectual Property Security Agreement, dated as of January 30, 2018, by Delta Plastics of the South, LLC, an Arkansas limited liability company, Revolution Bag, LLC, an Arkansas limited liability company, Command Packaging, LLC, a California limited liability company, and Citibank, N.A., as secured party, recorded at Reel/Frame 6270/0101.

### a. Trademarks

| Owner                               | Title  | Serial<br>Number | Registration<br>Number | Registration<br>Date | Reel/Frame<br>Number |
|-------------------------------------|--|------------------|------------------------|----------------------|----------------------|
| Delta Plastics of the<br>South, LLC | PIPE PLANNER EFFICIENT IRRIGATION MANAGEMENT                     | 85482912         | 4347513                | 6/4/13               | 6270/0101            |
| Delta Plastics of the<br>South, LLC | PIPE PLANNER EFFICIENT IRRIGATION MANAGEMENT FROM DELTA PLASTICS | 85482938         | 4343341                | 5/28/13              | 6270/0101            |
| Command Packaging,                  | AMERITOTE  | 78744524         | 3148656                | 9/26/06              | 6270/0101            |

WEIL:\97114263\4\35899.0587

| Owner   | Title   | Serial<br>Number | Registration<br>Number | Registration<br>Date | Reel/Frame<br>Number |
|---|---|------------------|------------------------|----------------------|----------------------|
| LLC, as successor in interest to Grand Packaging, Inc.                                    |   |                  |                        |                      |                      |
| Command Packaging,<br>LLC, as successor in<br>interest to Grand<br>Packaging, Inc.        | GREAT TO GO<br>DISTINCTIVE<br>CARRYOUT<br>BAGS  | 76290232         | 2631108                | 10/08/02             | 6270/0101            |
| Command Packaging,<br>LLC, as successor in<br>interest to Grand<br>Packaging, Inc.        | CARRYOUT CAFE<br>SERVING THE<br>ULTIMATE<br>CARRYOUT BAG  | 76465141         | 2777660                | 10/28/03             | 6270/0101            |
| Command Packaging,<br>LLC, as successor in<br>interest to Grand<br>Packaging, Inc.        | CUSTOM BAG<br>EXPRESS   | 78436560         | 2999379                | 09/20/05             | 6270/0101            |
| Command Packaging,<br>LLC, as successor in<br>interest to Grand<br>Packaging, Inc.        | SUPER WAVE  | 75598680         | 2314052                | 02/01/00             | 6270/0101            |
| Command Packaging,<br>LLC, as successor in<br>interest to Grand<br>Packaging, Inc.        | SUPER SATIN   | 75598668         | 2318712                | 02/15/00             | 6270/0101            |
| Command Packaging,<br>LLC, as successor in<br>interest to Grand                           | SUPER GLOSS   | 75598693         | 2314053                | 02/01/00             | 6270/0101            |
| Packaging, Inc. Command Packaging, LLC, as successor in interest to Grand Packaging, Inc. | PLASTIC PLUS+   | 76212435         | 2648451                | 11/12/02             | 6270/0101            |
| Command Packaging,<br>LLC, as successor in<br>interest to Grand<br>Packaging, Inc.        | ENCORE  | 77283887         | 3461026                | 07/08/08             | 6270/0101            |
| Command Packaging,<br>LLC, as successor in<br>interest to Grand<br>Packaging, Inc.        | RESTAURANTBA<br>GS.COM<br>Cross References:<br>RESTAURANT<br>BAGS COM   | 77220830         | 3391433                | 03/04/08             | 6270/0101            |
| Command Packaging,<br>LLC, as successor in<br>interest to Grand<br>Packaging, Inc.        | ENJOY! RE-USE & RECYCLE GIVE EARTH A SECOND CHANCE Cross References: ENJOY! REUSE & RECYCLE GIVE EARTH A 2ND CHANCE | 77326429         | 3449289                | 06/17/08             | 6270/0101            |

| Owner  | Title  | Serial<br>Number | Registration<br>Number | Registration<br>Date | Reel/Frame<br>Number |
|--|--|------------------|------------------------|----------------------|----------------------|
| Command Packaging,<br>LLC, as successor in<br>interest to Grand                            | REUSABLE<br>DON'T THROW<br>THIS BAG AWAY   | 77350474         | 3479883                | 08/05/08             | 6270/0101            |
| Packaging, Inc.  | Cross References:<br>REUSABLE DO<br>NOT THROW<br>THIS BAG AWAY   |                  | ×                      | ¢                    |                      |
| Command Packaging,<br>LLC, as successor in<br>interest to Grand<br>Packaging, Inc.         | YOUR RESTAURANT HAS AN IMAGE YOUR BAGS SHOULD TOO. Cross References: YOUR RESTAURANT HAS AN IMAGE YOUR BAGS SHOULD TOO | 77416720         | 3519692                | 10/21/08             | 6270/0101            |
| Command Packaging,<br>LLC, as successor in<br>interest to Grand<br>Packaging, Inc.         | 100% RECYCLABLE MADE IN USA REUSABLE Cross References: 100 PERCENT RECYCLABLE MADE IN USA REUSABLE                     | 77409188         | 3523727                | 10/28/08             | 6270/0101            |
| Command Packaging,<br>LLC, as successor in<br>interest to Grand                            | ENCORE   | 77963529         | 3885380                | 12/7/10              | 6270/0101            |
| Packaging, Inc.  Command Packaging, LLC, as successor in interest to Grand Packaging, Inc. | RESTAURANTBA<br>GS.COM<br>Cross References:<br>RESTAURANT<br>BAGS COM  | 77963589         | 3892514                | 12/21/10             | 6270/0101            |
| Command Packaging,<br>LLC, as successor in<br>interest to Grand<br>Packaging, Inc.         | REUSABLE   | 77865425         | 3930465                | 3/15/11              | 6270/0101            |
| Command Packaging,<br>LLC, as successor in<br>interest to Grand                            | ENCORE STONE   | 85189560         | 3997141                | 07/19/11             | 6270/0101            |
| Packaging, Inc. Command Packaging, LLC, as successor in interest to Grand Packaging, Inc.  | COMMAND<br>PACKAGING   | 85427316         | 4167011                | 07/03/12             | 6270/0101            |

| Owner  | Title  | Serial<br>Number | Registration<br>Number | Registration<br>Date          | Reel/Frame<br>Number |
|--|--|------------------|------------------------|-------------------------------|----------------------|
| Command Packaging,<br>LLC, as successor in<br>interest to Grand<br>Packaging, Inc. | SMARTERBAGS  <br>REUSABLE<br>Cross References:<br>SMARTER BAGS<br>REUSABLE | 85844177         | 4457905                | 12/31/13                      | 6270/0101            |
| Command Packaging,<br>LLC, as successor in<br>interest to Grand<br>Packaging, Inc. | I LOVE CALI  | 85847212         | 4527885                | 5/13/14                       | 6270/0101            |
| Command Packaging,<br>LLC, as successor in<br>interest to Grand<br>Packaging, Inc. | ENCORE:<br>RECYCLING   | 86110323         | 4559701                | 07/01/14                      | 6270/0101            |
| Command Packaging,<br>LLC, as successor in<br>interest to Grand<br>Packaging, Inc. | COMMAND<br>PACKAGING   | 86251911         | 4662548                | 12/30/14                      | 6270/0101            |
| Command Packaging,<br>LLC  | DELIVER SAFE   | 87586721         | N/A                    | (Application date) 08/28/2017 | 6270/0101            |
| Revolution Bag, LLC  | R REVOLUTION<br>BAG  | 86332111         | 4688463                | 02/17/15                      | 6270/0101            |
| Revolution Bag, LLC  | HERCULES   | 86315784         | 4721646                | 04/14/15                      | 6270/0101            |

WEIL:\97114263\4\35899.0587

### SCHEDULE II

Intellectual Property Security Agreement, dated as of January 30, 2018, by Delta Plastics
of the South, LLC, an Arkansas limited liability company, Revolution Bag, LLC, an
Arkansas limited liability company, Command Packaging, LLC, a California limited
liability company, and Citibank, N.A., as secured party, Doc. No. V9955D478.

# a. Copyrights

| Owner                               | Title   | Jurisdiction | Registration<br>Number | Registration<br>Date | Document<br>Number |
|-------------------------------------|---|--------------|------------------------|----------------------|--------------------|
| Delta Plastics of<br>the South, LLC | Pipe Planner Efficient<br>Irrigation Management | U.S.         | TXu1783112             | 11/11/11             | V9955D478          |

WEIL:\97114263\4\35899.0587

**RECORDED: 07/23/2019**