

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM553468

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	RELEASE OF SECURITY INTEREST
SEQUENCE:	2

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
The Bank of New York Mellon, as successor Administrative Agent for the Secured Parties to Deutsche Bank AG New York Branch		12/13/2019	Corporation: DELAWARE

RECEIVING PARTY DATA

Name:	Metalex, LLC
Street Address:	833 E. Michigan St., Suite 900
City:	Milwaukee
State/Country:	WISCONSIN
Postal Code:	53202
Entity Type:	Limited Liability Company: DELAWARE

PROPERTY NUMBERS Total: 7

Property Type	Number	Word Mark
Registration Number:	1175804	BUTTON-HOLE
Registration Number:	1563003	DECK SPAN
Registration Number:	2817521	METALEX
Registration Number:	1179815	OPEN DECK
Registration Number:	0871595	OPEN-GRIP
Registration Number:	1919254	STAR-DECK
Serial Number:	88115488	TREAD-GRIP

CORRESPONDENCE DATA

Fax Number: 3128324700

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: 313-832-4500

Email: nchimienti@foley.com,jolsen@foley.com

Correspondent Name: Nicole Chimienti/Foley & Lardner LLP

Address Line 1: 321 North Clark Street, Suite 2800

Address Line 4: Chicago, ILLINOIS 60654

OP \$190.00 1175804

NAME OF SUBMITTER:	Nicole Chimienti
SIGNATURE:	/Nicole Chimienti/
DATE SIGNED:	12/16/2019
Total Attachments: 4 source=Jason - Metalex Trademark Release (2L) (December 2019)#page1.tif source=Jason - Metalex Trademark Release (2L) (December 2019)#page2.tif source=Jason - Metalex Trademark Release (2L) (December 2019)#page3.tif source=Jason - Metalex Trademark Release (2L) (December 2019)#page4.tif	

TERMINATION AND RELEASE
OF SECURITY INTEREST IN TRADEMARKS
(SECOND LIEN)

This TERMINATION AND RELEASE OF SECURITY INTEREST IN TRADEMARKS, dated as of December 13, 2019 (this “Release”), is made by The Bank of New York Mellon, as successor Administrative Agent for the Secured Parties to Deutsche Bank AG New York Branch (in such capacity and together with its successors and permitted assigns, the “Administrative Agent”) in favor of Metalex, LLC (f/k/a Metalex Corporation and successor-by-merger to Morton Manufacturing Company) (the “Grantor”).

WHEREAS, the Grantor is party to a Second Lien Security Agreement, dated as of June 30, 2014 (as amended, restated, supplemented or otherwise modified from time to time, the “Security Agreement”), between the Grantor and the other grantors party thereto and The Bank of New York Mellon, as successor Administrative Agent to Deutsche Bank AG New York Branch, pursuant to which the Grantor granted a security interest to the Administrative Agent in the Trademark Collateral.

WHEREAS, pursuant to the Security Agreement, the Grantor executed and delivered to the Administrative Agent, for the benefit of the Secured Parties, (i) the Trademark Security Agreement dated as of June 30, 2014 (the “2014 IP Security Agreement”) and (ii) the Trademark Security Agreement dated as of March 21, 2019 (the “2019 IP Security Agreement”; together with the 2014 IP Security Agreement, the “IP Security Agreements” and each an “IP Security Agreement”); and

WHEREAS, (i) the 2014 IP Security Agreement was recorded at the United States Patent and Trademark Office (“USPTO”) on June 30, 2014 at Reel 5312 Frame 0481, Reel 5312 Frame 0529 and Reel 5313 Frame 0184 and (ii) the 2019 IP Security Agreement was recorded at the USPTO on May 2, 2019 at Reel 6636 Frame 0060.

NOW THEREFORE, in consideration of the mutual promises and undertakings set forth herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and with the intention of being legally bound hereby, the Administrative Agent, on behalf of the Secured Parties, and the Grantor agree as follows:

SECTION 1. Defined Terms. All capitalized definitional terms used herein but not otherwise defined herein have the meanings given to them in the Security Agreement or IP Security Agreements, as applicable.

SECTION 2. Termination and Release. The Administrative Agent, on behalf of the Secured Parties, without representation, warranty, or recourse, hereby:

(a) terminates, cancels, discharges, re-pledges, reassigns and releases to the Grantor the mortgage, pledge, and hypothecation and lien on and security interest in and to the right, title, and interest in, to, and under:

(i) all Trademarks of the Grantor, including those listed on Schedule A attached hereto;

(ii) all the right to sue or otherwise recover for past, present and future infringement, dilution or other violation of any of the foregoing or for any injury to goodwill, and all Proceeds of the foregoing, including license fees, royalties, income, payments, claims, damages and proceeds of suit;

- (iii) all other rights accruing thereunder or pertaining thereto throughout the world; and
- (b) authorizes the recordation of this Release with the USPTO at Grantor's expense.


SECTION 3. Choice of Law. This Release shall be governed by and construed in accordance with the laws of the State of New York.

SECTION 4. Acknowledgement. The release of security interest granted herein expressly does not include a release of the security interest granted in any Trademark Collateral not listed on Schedule A.

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IN WITNESS WHEREOF, the Administrative Agent, on behalf of the Secured Parties, has caused this Termination and Release of Security Interest in Trademarks to be duly executed as of the date first set forth above.

THE BANK OF NEW YORK
MELLON, as Administrative Agent

By: 
Name: Rebecca A. Norton
Title: Authorized Officer

Schedule A

Status	Country	Mark	Serial No.	Filing Date	Reg. No.	Reg. Date	Record Owner
Registered	US	BUTTON-HOLE	73/279,724	9/29/80	1,175,804	11/3/81	METALEX CORPORATION, Libertyville, IL
Pending	Canada	DECK SPAN	1991341-00	10/21/19			METALEX CORPORATION, Libertyville, IL
Registered	Mexico	DECK SPAN	2157713	1/25/19	1995187	4/26/19	METALEX CORPORATION, Libertyville, IL
Pending	US	DECK SPAN	88/669,130	10/25/19			METALEX CORPORATION, Libertyville, IL
Registered	US	DECK SPAN AND DESIGN	73/714,258	3/1/88	1,563,003	10/31/89	METALEX CORPORATION, Libertyville, IL
Registered	Canada	METALEX	328,708	12/19/69	179,313	11/5/71	METALEX CORPORATION, Libertyville, IL
Registered	Mexico	METALEX	2096255	9/5/18	1967563	2/6/19	METALEX CORPORATION, Libertyville, IL
Registered	US	METALEX	78/238,087	4/15/03	2,817,521	2/24/04	METALEX CORPORATION, Libertyville, IL
Pending	Canada	MORTON	1,985,360	9/17/19			METALEX CORPORATION, Libertyville, IL
Pending	US	MORTON	88/458,854	6/4/19			METALEX CORPORATION, Libertyville, IL
Registered	US	OPEN DECK	73/279,798	9/29/80	1,179,815	12/1/81	METALEX CORPORATION, Libertyville, IL
Registered	Canada	OPEN-GRIP	533230	12/13/84	TMA315665	6/27/86	METALEX CORPORATION, Chicago, IL
Registered	Mexico	OPEN-GRIP	0179704	2/3/81	261479	6/29/81	MORTON INTERNATIONAL, INC., Chicago, IL
Registered	US	OPEN-GRIP	72/296,857	4/29/68	0,871,595	6/24/69	METALEX CORPORATION, Libertyville, IL
Registered	US	STAR-DECK	74/585,938	10/14/94	1,919,254	9/19/95	METALEX CORPORATION, Libertyville, IL
Registered	Canada	TREAD-GRIP	533231	12/13/84	TMA315666	6/27/86	METALEX CORPORATION, Chicago, IL
Registered	Mexico	TREAD-GRIP	2157698	1/25/19	2012139	6/25/19	METALEX CORPORATION, Libertyville, IL
Pending	US	TREAD-GRIP	88/115,488	9/13/18			METALEX CORPORATION, Libertyville, IL