

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM572836

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	RELEASE OF SECOND LIEN SECURITY INTEREST IN TRADEMARKS AT R/F 5413/0805		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Credit Suisse AG, Cayman Islands Branch, as Second Lien Collateral Agent		04/14/2020	National Banking Association: SWITZERLAND
RECEIVING PARTY DATA			
Name:	Tierpoint, LLC		
Street Address:	12444 Powerscourt Drive		
Internal Address:	Suite 450		
City:	St. Louis		
State/Country:	MISSOURI		
Postal Code:	63131		
Entity Type:	Limited Liability Company: DELAWARE		
PROPERTY NUMBERS Total: 3			
Property Type	Number	Word Mark	
Registration Number:	4086323	DBSI	
Registration Number:	4086324	DBSI	
Registration Number:	2574147	APPS-ON-TAP	
CORRESPONDENCE DATA			
Fax Number:	2127514864		
<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:	2129061209		
Email:	jessica.bajada-silva@lw.com		
Correspondent Name:	LATHAM & WATKINS LLP,C/O J. Bajada-Silva		
Address Line 1:	885 Third Ave		
Address Line 4:	New York City, NEW YORK 10022		
ATTORNEY DOCKET NUMBER:	045777-0044		
NAME OF SUBMITTER:	Jessica Bajada-Silva		
SIGNATURE:	/s/ Jessica Bajada-Silva		
DATE SIGNED:	04/21/2020		

OP \$90.00 4086323

Total Attachments: 4

source=TierPoint - Second Lien Trademark Release - RF 5413-0805 and 5413-0789
Executed(115327855.1)#page1.tif

source=TierPoint - Second Lien Trademark Release - RF 5413-0805 and 5413-0789
Executed(115327855.1)#page2.tif

source=TierPoint - Second Lien Trademark Release - RF 5413-0805 and 5413-0789
Executed(115327855.1)#page3.tif

source=TierPoint - Second Lien Trademark Release - RF 5413-0805 and 5413-0789
Executed(115327855.1)#page4.tif

RELEASE OF SECOND LIEN SECURITY INTEREST IN TRADEMARKS

This RELEASE OF SECOND LIEN SECURITY INTEREST IN TRADEMARKS, dated as of April 14, 2020 (this “Release”) is made by CREDIT SUISSE AG, CAYMAN ISLANDS BRANCH, as Second Lien collateral agent (in such capacity, the “Second Lien Collateral Agent”) in favor of TIERPOINT NEW YORK, LLC, a Delaware limited liability company with offices at 12444 Powerscourt Drive, Suite 450, St. Louis, MO 63131 (as successor in interest to Xand Operations, LLC), and TIERPOINT, LLC, a Delaware limited liability company with offices at 12444 Powerscourt Drive, Suite 450, St. Louis, MO 63131 (as successor in interest to Data Based Systems International, LLC) (each, together with its predecessor, a “Grantor,” and collectively the “Grantors”). Capitalized terms used but not otherwise defined herein shall have the meanings given to them, directly or by reference, in the Second Lien Trademark Security Agreement (as defined below).

WITNESSETH:

WHEREAS, in connection with the Second Lien Credit Agreement, dated as of December 2, 2014 among the Administrative Agent and the Grantors and the other parties thereto (as may have been amended, restated, amended and restated, supplemented or otherwise modified from time to time, the “Second Lien Credit Agreement”), the Grantors entered into that certain Second Lien Pledge and Security Agreement dated as of December 2, 2014 (as may have been amended, restated, amended and restated, supplemented or otherwise modified from time to time, the “Second Lien Pledge and Security Agreement”) with Royal Bank of Canada, as collateral agent (the “Original Second Lien Collateral Agent”);

WHEREAS, pursuant to the Second Lien Pledge and Security Agreement, the Grantors executed and delivered that certain Second Lien Trademark Security Agreement, dated as of December 2, 2014 (the “Second Lien Trademark Security Agreement”) in favor of the Original Second Lien Collateral Agent;

WHEREAS, pursuant to the Second Lien Trademark Security Agreement, and as security for the payment or performance, as the case may be, in full of the Secured Obligations, each Grantor granted to the Original Second Lien Collateral Agent, its successors and assigns, for the benefit of the Secured Parties, a security interest (the “Security Interest”) in all of such Grantor’s right, title and interest in, to and under any and all of the following assets then owned or at any time thereafter acquired by such Grantor or in which such Grantor then had or at any time thereafter may have acquired any right, title or interest, but excluding any Excluded Assets (collectively, the “Trademark Collateral”): (a) all Trademarks of such Grantor, including, without limitation, the registered and applied-for Trademarks of such Grantor listed on Schedule 1 attached hereto, and (b) all Proceeds of any of the foregoing;

WHEREAS, the Second Lien Trademark Security Agreement was recorded in the United States Patent and Trademark Office on December 4, 2014 at Reel/Frame 5413/0805 (with respect to TierPoint, LLC) and at Reel/Frame 5413/0789 (with respect to TierPoint New York, LLC); and

WHEREAS the Original Second Lien Collateral Agent assigned all of its rights, title and interest in and to the Second Lien Pledge and Security Agreement and the Second Lien Trademark Security Agreement to the Second Lien Collateral Agent on May 5, 2017;

WHEREAS, the Grantors have requested that the Second Lien Collateral Agent now terminate and release its Security Interest in the Trademark Collateral.

NOW THEREFORE, in consideration of the foregoing and for other good and valuable consideration the receipt and adequacy of which are hereby acknowledged, the Second Lien Collateral Agent hereby terminates the Trademark Security Agreement, and hereby terminates and releases the Security Interest in the Trademark Collateral, without representation or warranty of any kind, and without recourse to the First Lien Collateral Agent.

Each Grantor (and any successor to such Grantor, including any person or entity hereafter holding any right, title or interest in and to the Trademark Collateral of such Grantor) is hereby authorized to record this Release with the United States Patent and Trademark Office with respect to the Trademark Collateral of such Grantor, at such Grantor's expense.

[Signature Page Follows]

IN WITNESS WHEREOF, the Second Lien Collateral Agent has caused this Release to be executed and delivered by its duly authorized representatives as of the date first above written.

CREDIT SUISSE AG, CAYMAN ISLANDS
BRANCH, as Second Lien Collateral Agent

By: jsmith

Name: Judith E. Smith

Title: Authorized Signatory

By: Brady Bingham

Name: Brady Bingham

Title: Authorized Signatory

TRADEMARKS

Owner of Record	Trademark/Title	Filing Date	Registration Date	Status	Application/Registration No.
TierPoint New York, LLC (f/k/a Xand Operations, LLC)	XAND	3/4/2010	10/12/2010	Cancelled	3,860,440
TierPoint New York, LLC (f/k/a Xand Operations, LLC)	XAND	3/4/2010	10/12/2010	Cancelled	3,860,441
TierPoint New York, LLC (f/k/a Xand Operations, LLC)	XAND	3/4/2010	10/12/2010	Cancelled	3,860,442
TierPoint New York, LLC (f/k/a Xand Operations, LLC)	XAND	3/4/2010	10/12/2010	Cancelled	3,860,444
TierPoint New York, LLC (f/k/a Xand Operations, LLC)	ADAPTIVE ESTRUCTURE	3/4/2010	10/19/2010	Cancelled	3,863,434
TierPoint, LLC (successor in interest to TierPoint Pennsylvania Two, LLC; f/k/a Data Based Systems International, LLC)	DBSI LOGO	11/11/2010	1/17/2012	Cancelled	4,086,323
TierPoint, LLC (successor in interest to TierPoint Pennsylvania Two, LLC; f/k/a Data Based Systems International, LLC)	DBSI	11/11/2010	1/17/2012	Cancelled	4,086,324
TierPoint, LLC (successor in interest to TierPoint Pennsylvania Two, LLC; f/k/a Data Based Systems International, LLC)	APPS-ON-TAP	4/20/1999	5/28/2002	Alive	2,574,147