# H \$140.00 3946

ETAS ID: TM614236

#### TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1 Stylesheet Version v1.2

SUBMISSION TYPE: NEW ASSIGNMENT

NATURE OF CONVEYANCE: RELEASE OF SECURITY INTEREST

#### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
THE HUNTINGTON NATIONAL BANK		12/11/2020	National Banking Association:

#### **RECEIVING PARTY DATA**

Name:	WEST SHORE HOME, LLC (f/k/a West Shore Window & Door, Inc.)	
Street Address:	5024 Simpson Ferry Road	
City:	Mechanicsburg	
State/Country:	PENNSYLVANIA	
Postal Code:	17050	
Entity Type:	Limited Liability Company: PENNSYLVANIA	

#### **PROPERTY NUMBERS Total: 5**

Property Type Number		Word Mark
Registration Number:	3946288	WEST SHORE WINDOW & DOOR
Registration Number:	4959775	WEST SHORE SHOWER & BATH
Registration Number:	4968264	WEST SHORE
Registration Number:	5746115	WEST SHORE HOME
Registration Number:	5426347	BRYTONS HOME IMPROVEMENT

#### **CORRESPONDENCE DATA**

Fax Number:

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: 212-728-8000
Email: ipdept@willkie.com
Correspondent Name: Spencer Simon
Address Line 1: 787 Seventh Avenue

Address Line 4: New York, NEW YORK 10019

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ATTORNEY DOCKET NUMBER:	!	125180/15	

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NAME OF SUBMITTER:	SPENCER SIMON
SIGNATURE:	/Spencer Simon/
DATE SIGNED:	12/14/2020

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

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## TERMINATION AND RELEASE OF SECURITY INTEREST TRADEMARKS

This Termination and Release of Security Interest in Trademarks ("Release") is made this 11th day of December, 2020, by THE HUNTINGTON NATIONAL BANK, as agent for the Lenders (the "Agent"), in favor of WEST SHORE HOME, LLC (f/k/a West Shore Window & Door, Inc.), a Pennsylvania limited liability company (the "Grantor").

WHEREAS, pursuant to the terms and conditions of that certain Credit and Security Agreement by and among Grantor, the other loan parties party thereto, the financial institutions party thereto and Agent, dated November 1, 2019, as amended and restated by that certain Amended and Restated Credit and Security Agreement by and among Grantor, the other loan parties party thereto, the financial institutions party thereto (the "Lenders") and Agent, dated December 23, 2019 (the "Credit Agreement"), Grantor granted to the Agent on behalf of the Lenders a continuing security interest in all of Grantor' right, title and interest in, to and under the trademarks, trademark registrations, trademark applications, and any and all goodwill associated therewith (the "Marks");

WHEREAS, the Grant of Security Interest in Trademarks (the "Grant of Security Interest") made to secure the satisfactory performance and payment of all the Obligations (as such term is defined in the Credit Agreement) of the Grantor was recorded with the United States Patent and Trademark Office ("USPTO") on November 4, 2019 at Reel/Frame 6786/0222 with respect to the Marks;

WHEREAS, the Grantor's Obligations under the Credit Agreement have been satisfied in full and the security interest granted to Lenders pursuant the Credit Agreement has been released by Lenders;

WHEREAS, the Agent on behalf of the Lenders has the requisite power and authority to release and discharge its security interest in and to the Marks; and

WHEREAS, the parties desire to confirm and evidence the termination and release of the security interest in, to and under the Marks.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Agent, on behalf of itself, the Lenders and their successors, legal representatives and assigns, hereby unconditionally, irrevocably and absolutely (i) terminates the Grant of Security Interest and all grants made by Grantor therein, (ii) assigns to Grantor, without any representation, warranty, or recourse whatsoever, all of Agent's right, title and interest (if any) in and to the Marks and (iii) terminates, cancels, releases and forever discharges any and all security interests it holds in, to and under (w) the Marks set forth on **Exhibit A** attached hereto, (x) all Proceeds (as defined in the Credit Agreement) of the Marks, (y) all of the goodwill of the businesses with which the Marks are associated, and (z) all causes of action, past, present and future, for infringement, misappropriation, or dilution of any of the Marks or unfair competition regarding the same.

The Agent shall take all further reasonable actions, and provide to Grantor or its successors, assigns or other legal representatives, all such reasonable cooperation and assistance (including, without limitation, the execution and delivery of any and all documents or other instruments), requested by Grantor to more fully and effectively effectuate the purposes of this Release, in each case, at Grantor's expense. By this instrument, the Agent authorizes and requests Grantor to record this Release with the USPTO.

This Release shall be governed by, and construed and enforced in accordance with, the laws of the State of New York, excluding conflict of laws principles that would cause the application of laws of any other jurisdiction.

SIGNATURE PAGE FOLLOWS

IN WITNESS WHEREOF, the Agent has caused this Release to be executed by their respective duly authorized representative as of the date first above written.

THE HUNTINGTON NATIONAL BANK

By: Wicholas J. Walsh
Name: Nicholas J. Walsh

Title: Senior Vice President

### EXHIBIT A

#### Trademarks

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<u>Trademarks</u>	<u>Owner</u>	Filing Date	<u>Status</u>	Registration / Application No.	Owned/Licensed
West Shore Window &	West Shore Home,	April 12, 2011	Active	3,946,288	Owned
Door (logo)	LLC (f/k/a	2011			
	West Shore				
	Window &				
	Door, Inc.)				
West Shore	West Shore	May 17,	Active	4,959,775	Owned
Shower &	Home,	2016			
Bath (logo)	LLC (f/k/a				
	West Shore				
	Window &				
	Door, Inc.)				
West Shore	West Shore	May 31,	Active	4,968,264	Owned
	Home,	2016			
	LLC (f/k/a				
	West Shore				
	Window &				
West Shore	Door, Inc.) West Shore	May 7,	Active	5,746,115	Owned
Home	Home,	2019	Active	3,740,113	Owned
Tionic	LLC (f/k/a	2019			
	West Shore				
	Window &				
	Door, Inc.)				
Brytons	West Shore	March 20,	Active	5,426,347	Owned
Home	Home,	2018			
Improvement	LLC (f/k/a				
	West Shore				
	Window &				
	Door, Inc.)				

**RECORDED: 12/14/2020**