# CH \$340.00 511629

# TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1 Stylesheet Version v1.2 ETAS ID: TM642254

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

### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Truist Bank (successor-in-interest to SunTrust Bank)		04/21/2021	Banking Corporation: NORTH CAROLINA

## **RECEIVING PARTY DATA**

Name:	Direct Digital, LLC
Street Address:	615 S. College Street
Internal Address:	Suite 1300
City:	Charlotte
State/Country:	NORTH CAROLINA
Postal Code:	28202
Entity Type:	Limited Liability Company: DELAWARE

# **PROPERTY NUMBERS Total: 13**

Property Type	Number	Word Mark
Registration Number:	5116296	SUPER TURMERIC
Registration Number:	4622484	SPS SCIENCE POWERED SUPPLEMENTS
Registration Number:	4622482	SCIENCE POWERED SUPPLEMENTS
Registration Number:	4607282	PRECURSOR
Registration Number:	4499231	SLIM SCIENCE
Registration Number:	4393607	BENEFLEX
Registration Number:	4299379	NUGENIX
Registration Number:	3972032	LUMINITE
Registration Number:	3972011	LUMIDAY
Registration Number:	3830769	INSTAFLEX
Serial Number:	87402591	PEPTIVA
Serial Number:	87336495	TRIPLE BIOTIX
Serial Number:	87031580	ADAPTIVE HEALTH

# **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.

TRADFMARK

REEL: 007271 FRAME: 0296

900612341

**Phone:** 4155911000

Email: TrademarksCH@winston.com

Correspondent Name: Becky L. Troutman, Winston & Strawn LLP

Address Line 1: 101 California Street

Address Line 4: San Francisco, CALIFORNIA 94111-5840

NAME OF SUBMITTER: Becky L. Troutman

SIGNATURE: /Becky L. Troutman/

**DATE SIGNED:** 04/26/2021

**Total Attachments: 3** 

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TRADEMARK REEL: 007271 FRAME: 0297

# TERMINATION AND RELEASE OF SECURITY INTEREST IN TRADEMARKS

This **TERMINATION AND RELEASE OF SECURITY INTEREST IN TRADEMARKS**, dated as of April 21, 2021 ("Release"), is made by Truist Bank, as successor-by-merger to SunTrust Bank, Administrative Agent ("Administrative Agent") in favor of Direct Digital, LLC, a Delaware limited liability company ("Obligor").

WHEREAS, pursuant to that certain Amended and Restated Security and Pledge Agreement dated as of May 18, 2020 (as amended, modified, extended or restated from time to time, the "Security Agreement") by and among the Obligor, Administrative Agent, and others party thereto, Obligor granted to the Administrative Agent, for the benefit of the holders of the Secured Obligations ("Secured Parties"), a continuing security interest in, and a right to set off against, any and all right, title and interest of Obligor in and to all Trademarks, including the trademark registrations and trademark applications listed on Schedule A attached hereto (collectively, "Trademark Collateral"); and

**WHEREAS**, pursuant to the Security Agreement, Obligor executed and delivered to Administrative Agent, for the benefit of the Secured Parties, the Notice of Grant of Security Interest in Trademarks recorded at the United States Patent and Trademark Office ("<u>USPTO</u>") on December 20, 2017 at Reel 6231 Frame 0955 ("<u>Notice</u>").

**NOW THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Administrative Agent, on behalf of the Secured Parties, and Obligor agree as follows:

- **SECTION 1**. <u>Defined Terms</u>. All capitalized terms used herein but not otherwise defined herein have the meanings given to them in the Security Agreement or Notice.
- **SECTION 2**. <u>Termination and Release</u>. Administrative Agent, on behalf of the Secured Parties, without representation, warranty, or recourse, hereby:
- (a) terminates, cancels, discharges, and releases the continuing security interest in, and the right to set off against, any and all right, title and interest of Obligor in and to the Trademark Collateral, including, but not limited to, the foregoing listed on Schedule A attached hereto, granted pursuant to the Security Agreement or Notice; and
  - (b) authorizes the recordation of this Release with the USPTO at Obligor'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.

TRADEMARK
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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.

Administrative Agent:

Truist Bank, as successor-by-merger to SunTrust Bank

Name: Vinay Desai

Title: Managing Director

# Schedule A

# U.S. Trademarks Subject to Security Interest Granted by Direct Digital, LLC In Favor of SunTrust Bank, as Administrative Agent Recorded December 20, 2017 at Reel 6231 Frame 0955

# **Trademark Registrations**

Mark	Reg. No.	Reg. Date
SUPER TURMERIC	5116296	01/03/17
SPS SCIENCE POWERED SUPPLEMENTS	4622484	10/14/14
SCIENCE POWERED SUPPLEMENTS	4622482	10/14/14
PRECURSOR	4607282	09/16/14
SLIM SCIENCE	4499231	03/18/14
BENEFLEX	4393607	08/27/13
NUGENIX	4299379	03/05/13
LUMINITE	3972032	05/31/11
LUMIDAY	3972011	05/31/11
INSTAFLEX	3830769	08/10/10

# **Trademark Applications**

Mark	Appl. No.	Filing Date
PEPTIVA	87402591	04/07/17
TRIPLE BIOTIX	87336495	02/15/17
ADAPTIVE HEALTH	87031580	05/10/16

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**RECORDED: 04/26/2021** 

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