# CH \$190.00 866051

# TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1 Stylesheet Version v1.2 ETAS ID: TM667929

SUBMISSION TYPE:	NEW ASSIGNMENT	
NATURE OF CONVEYANCE:	ASSIGNMENT OF THE ENTIRE INTEREST AND THE GOODWILL	

### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
PV3 (an ABC) LLC		07/20/2021	Limited Liability Company: DELAWARE

### **RECEIVING PARTY DATA**

Name:	Quantum Corporation		
Street Address:	224 Airport Parkway		
Internal Address:	Suite 550		
City:	San Jose		
State/Country:	CALIFORNIA		
Postal Code:	95110		
Entity Type:	Corporation: DELAWARE		

### **PROPERTY NUMBERS Total: 7**

Property Type	Number	Word Mark
Serial Number:	86605137	NEX GEN
Registration Number:	5028035	
Registration Number:	3524111	PIVOT3
Registration Number:	3524132	PIVOT3
Registration Number:	3524133	PIVOT3
Registration Number:	4227061	PIVOT3 VSTAC
Registration Number:	4432980	PIVOT3 VSTAC MANAGER

### **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:** 6502334044

**Email:** paul.thomas@pillsburylaw.com

**Correspondent Name:** Paul E. Thomas **Address Line 1:** P.O. Box 10500

Address Line 2: Pillsbury Winthrop Shaw Pittman LLP

Address Line 4: McLean, VIRGINIA 22102

NAME OF SUBMITTER: Paul E. Thomas

TRADEMARK
REEL: 007393 FRAME: 0273

900637137

SIGNATURE:	/Paul E. Thomas/
DATE SIGNED:	08/16/2021

### **Total Attachments: 5**

source=Quantum - Asset Purchase Agreement Trademark Assignment Agreement Executed from P3#page1.tif source=Quantum - Asset Purchase Agreement Trademark Assignment Agreement Executed from P3#page2.tif source=Quantum - Asset Purchase Agreement Trademark Assignment Agreement Executed from P3#page3.tif source=Quantum - Asset Purchase Agreement Trademark Assignment Agreement Executed from P3#page4.tif source=Quantum - Asset Purchase Agreement Trademark Assignment Agreement Executed from P3#page5.tif

### TRADEMARK ASSIGNMENT AGREEMENT

THIS TRADEMARK ASSIGNMENT AGREEMENT (the "Trademark Assignment") is entered into as of July 20, 2021, by and between Quantum Corporation, a Delaware corporation ("Buyer") and PV3 (an ABC) LLC, a Delaware limited liability company ("Seller"), as assignee for the benefit of Pivot3, Inc., a Delaware Corporation. Seller and Buyer are parties to a certain Asset Purchase Agreement dated as of July 18, 2021 (the "Asset Purchase Agreement"). Capitalized terms used without definitions herein shall have the meanings ascribed to such terms in the Asset Purchase Agreement.

### WITNESSETH

WHEREAS, Seller has agreed to sell to Buyer, and Buyer has agreed to acquire from Seller, all of Seller's rights, title and interest in and to the trademarks and/or service marks identified in Schedule A attached hereto (the "Marks"); and

WHEREAS, the parties accordingly wish to execute this recordable instrument, assigning all of Seller's right, title and interest in and to the Marks to Buyer;

NOW, THEREFORE, for valuable consideration set forth in the Asset Purchase Agreement, the receipt and sufficiency of which are hereby acknowledged, Seller and Buyer agree as follows:

- 1. Seller hereby assigns, transfers and conveys to Buyer subject to all existing licenses or right to use all of its right, title and interest in and to the Marks, including without limitation any and all registrations, applications, and/or common law rights for the Marks throughout the world, together with all of the goodwill of Seller's business symbolized by or associated with the Marks, and any and all income, royalties, damages and payments now or hereafter due and/or payable with respect thereto including, without limitation, damages and payments for past, present or future infringements of the Marks.
- 2. This Trademark Assignment is subject to the terms and conditions of the Asset Purchase Agreement and this Trademark Assignment shall not be deemed to limit, enlarge or extinguish any obligation of Seller or Buyer under the Asset Purchase Agreement, all of which obligations shall survive the delivery of this Trademark Assignment in accordance with the terms of the Asset Purchase Agreement, and that to the extent there is any conflict between this Trademark Assignment and the terms and conditions of the Asset Purchase Agreement, the Asset Purchase Agreement shall control.
- 3. This Trademark Assignment may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

[Remainder of this page is intentionally left blank.]

IN WITNESS WHEREOF, the parties hereto have executed this Trademark Assignment Agreement as of the date first above written.

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QUANTUM CORPORATION	
a Delaware corporation	
By: J. Michael Dodson Name: Dodson	
Name: Michael Dodson	-
Fitle <sup>. CFO</sup>	

SELLER:

PV3 (AN ABC) LLC a Delaware limited liability company Michael Cronin Name: \_\_\_\_ Title: Managing Member

# Schedule A

# Marks

Trademark:	Jurisdiction:	Class and Goods or Services:	Status:
	US	09: Computer hardware and software for management of the location and movement of agnostic data within network attached data storage systems with multiple data store capability and adapted for use in data centers managed by information technology (IT) professionals.	U.S. Reg. No.: 5028035 Registered: August 23, 2016
NEX GEN	US	09: Computer hardware and software for management of the location and movement of agnostic data within network attached data storage systems with multiple data store capability and adapted for use in data centers managed by information technology (IT) professionals	U.S. App. Ser. No.: 86605137 Filed: April 21, 2015 Pending.
PIVOT3	US	42: Consulting services in the field of identification, support, and implementation of computer network data and video storage systems for businesses and government agencies; technical support services, namely, troubleshooting of computer hardware and software problems.	U.S. Reg. No.: 3524111  Registered: October 28, 2008  Renewal filed and accepted November 19, 2018
PIVOT3	US	41: Training in the use and operation of computer network data and video storage systems.	U.S. Reg. No.: 3524132  Registered: October 28, 2008  Renewal filed and accepted November 19, 2018

Trademark:	Jurisdiction:	Class and Goods or Services:	Status:
PIVOT3	US	09: Computer networked data storage systems, namely, computer hardware and computer software for implementing network storage; computer software and hardware for the collection, editing, organization, modification, manipulation, book marking, transmission, storage and sharing of data, video, and information; apparatus for recording, transmitting, processing, and reproducing sound, images, or data.	U.S. Reg. No.: 3524133  Registered: October 28, 2008  Renewal filed and accepted November 19, 2018
PIVOT3 VSTAC	US	09: Computer networked data storage systems, namely, computer hardware and computer software for managing data storage.	U.S. Reg. No.: 4227061 Registered: October 16, 2012
PIVOT3 VSTAC MANAGER	US	42: Platform as a service (PAAS) featuring computer software platforms for management of computer networked data storage systems.	U.S. Reg. No.: 4432980 Registered: November 12, 2013.
Pivot (3)	US	Video surveillance solutions Video recording and viewing Security solutions Data center solutions	Unregistered common law trademark in use since at least as early as January 2017.
6	US	Video surveillance solutions Video recording and viewing Security solutions Data center solutions	Unregistered common law trademark in use since at least as early as 2018 on social media (Facebook and Twitter).
SVR	US	Video surveillance solutions Video recording and viewing Security solutions Data center solutions	Unregistered common law trademark.

**RECORDED: 08/16/2021** 

Trademark:	Jurisdiction:	Class and Goods or Services:	Status:
PIVOT3 SERVERLESS COMPUTING		Video surveillance solutions Video recording and viewing Security solutions Data center solutions	Unregistered common law trademark.
SNAPLIFE		Video surveillance solutions Video recording and viewing Security solutions Data center solutions	Unregistered common law trademark.
TIMEPIVOT		Video surveillance solutions Video recording and viewing Security solutions Data center solutions	Unregistered common law trademark.
RAIGE		Video surveillance solutions Video recording and viewing Security solutions Data center solutions	Unregistered common law trademark.
PURESCRUB		Video surveillance solutions Video recording and viewing Security solutions Data center solutions	Unregistered common law trademark.
PURESCALE		Video surveillance solutions Video recording and viewing Security solutions Data center solutions	Unregistered common law trademark.
PIVOT3 SCALE- OUT APPLICATION PLATFORM		Video surveillance solutions Video recording and viewing Security solutions Data center solutions	Unregistered common law trademark.