

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM745235

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	SECURITY INTEREST

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
Eos Energy Storage LLC		07/29/2022	Limited Liability Company: DELAWARE
Eos Energy Technology Holdings LLC		07/29/2022	Limited Liability Company: DELAWARE

RECEIVING PARTY DATA

Name:	ACP Post Oak Credit I LLC
Street Address:	777 Post Oak Blvd, Suite 430
City:	Houston
State/Country:	TEXAS
Postal Code:	77056
Entity Type:	Limited Liability Company: DELAWARE

PROPERTY NUMBERS Total: 9

Property Type	Number	Word Mark
Serial Number:	90882925	EOS
Serial Number:	90882929	EOS. POSITIVELY INGENIOUS.
Registration Number:	4902432	EOS AURORA
Registration Number:	4927790	ZNYTH ZINC HYBRID CATHODE
Serial Number:	88813091	EOS
Serial Number:	97242104	ZNYTH
Serial Number:	97242118	EOS ZNYTH
Serial Number:	97242578	EOS Z3
Serial Number:	97242649	EOS

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: 800-494-5225

Email: ipteam@cogencyglobal.com

Correspondent Name: Stewart Walsh

Address Line 1: 1025 Connecticut Ave NW, Suite 712

OP \$240.00 90882925

Address Line 2: COGENCY GLOBAL Inc.
Address Line 4: Washington, D.C. 20036

ATTORNEY DOCKET NUMBER: 1748165 TM

NAME OF SUBMITTER: Linda Oh

SIGNATURE: /Linda Oh/

DATE SIGNED: 08/02/2022

Total Attachments: 8

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TRADEMARK SECURITY AGREEMENT

This TRADEMARK SECURITY AGREEMENT (this “Agreement”), dated as of July 29, 2022, is made by Eos Energy Storage LLC, a Delaware limited liability company (“Eos Storage”), and Eos Energy Technology Holdings LLC, a Delaware limited liability company (together with Eos Storage, the “Grantors”) in favor of ACP Post Oak Credit I LLC, as Collateral Agent (in such capacity, together with its successors and assigns in such capacity, the “Collateral Agent”).

Recitals

The Collateral Agent, Eos Energy Enterprises, Inc. and the Lenders from time to time party thereto have entered into a Senior Secured Term Loan Credit Agreement, dated as of July 29, 2022 (as amended, restated, supplemented or otherwise modified from time to time, the “Credit Agreement”).

Pursuant to the Credit Agreement and as a condition to the extension of credit by the Lenders under the Credit Agreement, each Grantor executed and delivered a Guarantee and Collateral Agreement, dated as of July 29, 2022 (the “Collateral Agreement”), in favor of the Collateral Agent for the ratable benefit of the Secured Parties.

Each Grantor owns the trademarks and trademark applications listed on Schedule A attached hereto (the “Trademarks”), which Trademarks have been issued by or are pending applications in the United States Patent and Trademark Office.

This Agreement has been executed in conjunction with the security interest granted under the Collateral Agreement to the Collateral Agent for the ratable benefit of the Secured Parties. In the event that any provisions of this Agreement are deemed to conflict with the Collateral Agreement, the provisions of the Collateral Agreement shall govern.

Agreement

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, it is hereby agreed that:

1. Definitions. Unless otherwise indicated, all capitalized terms not defined herein shall have the respective meaning given to them in the Collateral Agreement.

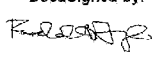
2. The Security Interest. Each Grantor hereby pledges, assigns and transfers to the Collateral Agent, and grants to the Collateral Agent, for the ratable benefit of the Secured Parties, a security interest in all of the following property, now owned or at any time hereafter acquired by each Grantor or in which each Grantor now has or at any time in the future may acquire any right, title or interests and whether now existing or hereafter coming into existence: (1) any and all trademarks and trademark applications, including the Trademarks (except any “intent to use” Trademark applications pending under Section 1(b) of the Trademark Act for which a statement of use or an amendment to allege use has not been filed (but only until such statement or amendment is filed)); (2) all divisionals, continuations, renewals, extensions and continuations-in-part thereof; (3) all income, royalties, damages, claims and payments now or hereafter due or payable under and with respect thereto, including, without limitation, damages and payments for past and future infringements thereof; (4) all rights to sue for past, present and future infringements thereof; (5) all goodwill of the business associated with the foregoing; (6) all rights corresponding to any of the foregoing throughout the world; and (7) all Proceeds of the foregoing.

3. Governing Law. THIS AGREEMENT SHALL BE GOVERNED BY, AND
CONSTRUED IN ACCORDANCE WITH, THE LAWS OF THE STATE OF NEW YORK.

IN WITNESS WHEREOF, the Grantor has executed this Agreement by its duly authorized representative as of the date first written above.

GRANTORS

EOS ENERGY STORAGE LLC

DocuSigned by:

By: _____
Name: Randall B. Gonzales
Title: Chief Financial Officer

EOS ENERGY TECHNOLOGY HOLDINGS
LLC

DocuSigned by:

By: _____
Name: Carlos Restrepo
Title: President

[Signature Page to Trademark Security Agreement]

Acknowledged and Agreed:

ACP POST OAK CREDIT I LLC,
as Collateral Agent

By: 





Name: Matthew E. Laterza
Title: Chief Operating Officer

Trademarks

See attached.

(Trademarks U.S. and Foreign)

Trademark Applications and Registrations, Excluding Intent-To-Use U.S. Trademark Applications:

Mark	Mark Image (if applicable)	Jurisdiction	Appl. No./Reg. No.	International Class(es)
EOS & Design (horizontal version)		United States of America	90/882,925	09, 11, 39, 42
EOS. POSITIVELY INGENIOUS.		United States of America	90/882,929	39, 42
EOS AURORA		United States of America	4,902,432	04
ZNYTH ZINC HYBRID CATHODE (Stylized)		United States of America	4,927,790	09
EOS POSITIVELY INGENIOUS. & Design	 Positively ingenious.	European Union	018647784	01, 09, 11, 37, 39, 42
EOS POSITIVELY INGENIOUS. & Design	 Positively ingenious.	United Kingdom	3750774	01, 09, 11, 37, 39, 42

TRADEMARK

REEL: 007809 FRAME: 0409

Trademark Opposition:

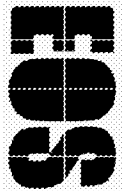

Opposed Mark Appl. No. of Opposed Mark	Owner of Opposed Mark	Jurisdiction	Appl. No./Reg. No.	Opposition Proceeding No.
	EOS Energy Co. Ltd.	United States of America	88/813,091	91275189

Exhibit C
(Intent-to-Use U.S. Trademarks)

Intent-to-Use U.S. Trademark Applications:

Mark	Mark Image (if applicable)	Jurisdiction	Appl. No./Reg. No.	International Class(es)
ZNYTH		United States of America	97/242,104	01, 09, 11, 37, 39, 42
EOS ZNYTH		United States of America	97/242,118	01, 09, 11, 37, 39, 42
EOS Z3		United States of America	97/242,578	01, 09, 11, 37, 39, 42
EOS & Design (vertical version)		United States of America	97/242,649	09, 11, 39, 42

TRADEMARK

REEL: 007809 FRAME: 0411

RECORDED: 08/02/2022