# CH \$440.00 453225

# TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1 Stylesheet Version v1.2 ETAS ID: TM828582

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

# **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Antares Capital LP, as Collateral Agent		08/01/2023	Limited Partnership: DELAWARE

## **RECEIVING PARTY DATA**

Name:	Xeridiem Medical Devices, Inc.
Street Address:	4700 S. Overland Drive
City:	Tucson
State/Country:	ARIZONA
Postal Code:	85714
Entity Type:	Corporation: ARIZONA
Name:	PPC Industries Inc.
Street Address:	10101 78th Avenue
City:	Pleasant Prairie
State/Country:	WISCONSIN
Postal Code:	53158
Entity Type:	Corporation: DELAWARE
Name:	VitalMed, Inc.
Street Address:	200 Kenneth Welch Drive
City:	Lakesville
State/Country:	MASSACHUSETTS
Postal Code:	02347
Entity Type:	Corporation: DELAWARE
Name:	Spectrum Plastics Holdings, LLC
Street Address:	2500 Northwinds Parkway
Internal Address:	#472
City:	Alpharetta
State/Country:	GEORGIA
Postal Code:	30004
Entity Type:	Limited Liability Company: DELAWARE
Name:	Apex Resource Technologies, Inc.
Street Address:	2500 Northwinds Parkway
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Internal Address:	Suite 472
City:	Alpharetta
State/Country:	GEORGIA
Postal Code:	30009
Entity Type:	Corporation: MASSACHUSETTS
Name:	Fermatex Vascular Technologies, LLC
Street Address:	1746 Route 34 North
City:	Wall
State/Country:	NEW JERSEY
Postal Code:	07727
Entity Type:	Limited Liability Company: DELAWARE

### **PROPERTY NUMBERS Total: 17**

Property Type	Number	Word Mark
Registration Number:	4532259	OPTIMAX
Registration Number:	4101549	XERIDIEM
Registration Number:	4101550	XERIDIEM
Registration Number:	3787926	SPECTRUM PLASTICS GROUP
Registration Number:	3716134	SPECTRUM PLASTICS GROUP
Registration Number:	4445213	KELPAC MEDICAL
Registration Number:	3627620	VITALMED
Registration Number:	2813967	DUOPEX
Registration Number:	2813951	PEXBOND
Registration Number:	2813950	PEXBRAID
Registration Number:	2811591	PEXCLEAR
Registration Number:	1786151	QUALTHANE
Registration Number:	3322930	PEXGLIDE
Registration Number:	3322880	PEX-PF
Registration Number:	4532853	APEX RESOURCE TECHNOLOGIES
Registration Number:	2871045	INANYCASE.COM
Serial Number:	87632445	SPECTRUM PLASTICS GROUP

## **CORRESPONDENCE DATA**

Fax Number: 3129939767

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: 13129932622

Email: gayle.grocke@lw.com Latham & Watkins LLP **Correspondent Name:** Address Line 1: 330 N. Wabash Avenue

Address Line 2: **Suite 2800** 

**TRADEMARK** 

**REEL: 008152 FRAME: 0002** 

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Address Line 4: Chica	ago, ILLINOIS 60611
ATTORNEY DOCKET NUMBER:	057121-0271
NAME OF SUBMITTER:	Gayle D. Grocke
SIGNATURE:	/gdg/
DATE SIGNED:	08/01/2023
Total Attachments: 6 source=Spectrum Plastics - 2L IP Release [Executed]#page1.tif source=Spectrum Plastics - 2L IP Release [Executed]#page2.tif source=Spectrum Plastics - 2L IP Release [Executed]#page3.tif source=Spectrum Plastics - 2L IP Release [Executed]#page4.tif source=Spectrum Plastics - 2L IP Release [Executed]#page5.tif	

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# RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY COLLATERAL

THIS RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY COLLATERAL (this "Release"), dated as of August 1, 2023, is made by Antares Capital LP, as collateral agent (the "Collateral Agent") in favor of Xeridiem Medical Devices, Inc., an Arizona corporation, PPC Industries Inc., a Delaware corporation, VitalMed, Inc., a Delaware corporation, Spectrum Plastics Holdings, LLC (formerly known as Specialty Processing Intermediate Holding, LLC), a Delaware limited liability company, Apex Resource Technologies, Inc., a Massachusetts corporation, and Fermatex Vascular Technologies, LLC, a Delaware limited liability company (collectively, the "Grantors"), as follows:

## WITNESSETH:

WHEREAS, pursuant to that certain Second Lien Security Agreement dated as of January 31, 2018 (as amended, supplemented or otherwise modified from time to time, the "Security Agreement"), among the Grantors and the other parties party thereto in favor of the Collateral Agent, and those certain agreements described on Annex I attached hereto (the "IP Security Agreements"), the Grantors granted a security interest in certain collateral in favor of the Collateral Agent, including the IP Collateral (as hereinafter defined); and

WHEREAS, the IP Security Agreements were recorded with the Trademark Division of the United States Patent and Trademark Office and Patent Division of the United States Patent and Trademark Office on the dates and at the reels/frames set forth on <u>Annex I</u> attached hereto; and

WHEREAS, the Agent now desires to terminate and release the IP Security Agreements and the entirety of its security interests granted therein, including in the IP Collateral described on <u>Annex II</u> attached hereto.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and upon the terms set forth in this Release, the Agent hereby agrees as follows:

- 1. <u>Definitions</u>. The term "<u>IP Collateral</u>", as used herein, shall mean, with respect to each Grantor, all of such Grantor's right, title or interest in, to and under all of its trademarks and patents, including, without limitation, the trademarks and patents listed on <u>Annex II</u> attached hereto, and for clarity, including all Collateral (as defined in each IP Security Agreement) under each IP Security Agreement. Capitalized terms not defined herein have the meanings set forth in the Security Agreement or IP Security Agreements, as applicable.
- 2. Release of Security Interest. The Collateral Agent, without recourse, representation or warranty and at the Grantors' sole cost and expense, hereby terminates, cancels, releases, relinquishes and discharges, in its entirety, for the benefit of the Grantors, and their successors and assigns, its security interest in and to the IP Collateral, the IP Security Agreements, and any and all right, title and interest of the Collateral Agent in, to and under the IP Security Agreements, including the IP Collateral, shall hereby be terminated, cancelled, released, relinquished and discharged. The Collateral Agent hereby authorizes the Grantors and their successors, assigns or other legal representatives to file this Release with the United States Patent and Trademark Office, at the sole expense of the Grantors, to evidence and effectuate the release and termination of the Collateral Agent's security interest in the IP Collateral.
- 3. <u>Delivery by Facsimile</u>. Delivery of an executed signature page to this Release by facsimile or electronic (including .pdf file) transmission shall be as effective as delivery of a manually signed counterpart of this Release. The parties hereto hereby agree that the electronic signatures of the parties hereto will have the same force and effect as manual signatures.

4. <u>Governing Law.</u> THIS RELEASE AND THE RIGHTS AND OBLIGATIONS OF THE PARTIES HERETO SHALL BE GOVERNED BY, AND CONSTRUED AND INTERPRETED IN ACCORDANCE WITH, THE LAW OF THE STATE OF NEW YORK.

[Signature page follows]

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IN WITNESS WHEREOF, the undersigned has executed this Release by its duly authorized officer as of the date first above written.

ANTARES CAPITAL LP,

as Collateral Agent

By: MAC Name: Michael Falcon

Title: Authorized Signatory

**REEL: 008152 FRAME: 0006** 

#### ANNEX I

Intellectual Property Security Agreement, dated as of January 31, 2018, by and between Xeridiem Medical Devices, Inc. and the Collateral Agent, and recorded with the Trademark Division of the United States Patent and Trademark Office on January 31, 2018 at Reel/Frame 6262/0073.

Intellectual Property Security Agreement, dated as of January 31, 2018, by and between Xeridiem Medical Devices, Inc. and the Collateral Agent, and recorded with the Patent Division of the United States Patent and Trademark Office on January 31, 2018 at Reel/Frame 044789/0987.

Intellectual Property Security Agreement, dated as of January 31, 2018, by and between PPC Industries Inc. and the Collateral Agent, and recorded with the Trademark Division of the United States Patent and Trademark Office on January 31, 2018 at Reel/Frame 6262/0056.

Intellectual Property Security Agreement, dated as of January 31, 2018, by and between PPC Industries Inc. and the Collateral Agent, and recorded with the Patent Division of the United States Patent and Trademark Office on January 31, 2018 at Reel/Frame 044789/0828.

Intellectual Property Security Agreement, dated as of January 31, 2018, by and between VitalMed, Inc. and the Collateral Agent, and recorded with the Trademark Division of the United States Patent and Trademark Office on January 31, 2018 at Reel/Frame 6261/0919.

Intellectual Property Security Agreement, dated as of April 9, 2018, by and between Spectrum Plastics Holdings, Inc. (formerly known as Specialty Processing Intermediate Holdings, LLC) and the Collateral Agent, and recorded with the Trademark Division of the United States Patent and Trademark Office on April 16, 2018 at Reel/Frame 6364/0327.

Intellectual Property Security Agreement, dated as of May 14, 2018, by and between Apex Resource Technologies, Inc. and the Collateral Agent, and recorded with the Trademark Division of the United States Patent and Trademark Office on May 15, 2018 at Reel/Frame 6330/0585.

Intellectual Property Security Agreement, dated as of May 14, 2018, by and between Apex Resource Technologies, Inc. and the Collateral Agent, and recorded with the Patent Division of the United States Patent and Trademark Office on May 15, 2018 at Reel/Frame 045801/0440.

Intellectual Property Security Agreement, dated as of June 22, 2018, by and between Fermatex Vascular Technologies, LLC and the Collateral Agent, and recorded with the Patent Division of the United States Patent and Trademark Office on June 25, 2018 at Reel/Frame 046420/0859.

# ANNEX II

# TRADEMARK REGISTRATIONS AND APPLICATIONS

OWNER	TRADEMARK	APPLICATION NO./ REGISTRATION NUMBER	FILING DATE/ REGISTRATION DATE
Xeridiem Medical	OPTIMAX	85/949498	03-June-2013
Devices, Inc.		4532259	20-May-2014
Xeridiem Medical	XERIDIEM	85/320435	13-May-2011
Devices, Inc.		4101549	21-February-2012
Xeridiem Medical	XERIDIEM	85/320457	13-May-2011
Devices, Inc.		4101550	21-February-2012
PPC Industries, Inc.	SPECTRUM	77/464,602	02-May-2008
	PLASTICS GROUP	3787926	11-May-2010
PPC Industries, Inc.	SPECTRUM PLASTICS GROUP	87/632445	03-October – 2017
PPC Industries, Inc.	SPECTRUM	77/432,995	27-March-2008
	PLASTICS GROUP	3716134	24-November-2009
PPC Industries, Inc.	KELPAC MEDICAL	85/980327 4445213	06-June – 2011 03-December - 2013
VitalMed, Inc.	VITALMED	77/176559 3627620	09-May-2007 26-May-2009
Spectrum Plastics	DUOPEX	76/480,553	06-Jan-03
Holdings, Inc.		2,813,967	10-Feb-04
Spectrum Plastics	PEXBOND	76/469,564	14-Nov-02
Holdings, Inc.		2,813,951	10-Feb-04
Spectrum Plastics	PEXBRAID	76/469,563	14-Nov-02
Holdings, Inc.		2,813,950	10-Feb-04
Spectrum Plastics	PEXCLEAR	76/480,942	07-Jan-03
Holdings, Inc.		2,811,591	03-Feb-04
Spectrum Plastics	QUALTHANE	74/247,296	14-Feb-92
Holdings, Inc.		1,786,151	03-Aug-93
Spectrum Plastics	PEXGLIDE	77/084,998	17-Jan-07
Holdings, Inc.		3,322,930	30-Oct-07

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OWNER	TRADEMARK	APPLICATION NO./ REGISTRATION NUMBER	FILING DATE/ REGISTRATION DATE
Spectrum Plastics Holdings, Inc.	PEX-PF	77/082,101 3,322,880	12-Jan-07 30-Oct-07
Apex Resource Technologies, Inc.	APEX RESOURCE TECHNOLOGIES	4532853	May 20, 2014
Apex Resource Technologies, Inc.	INANYCASE.COM	2871045	08/10/2004

# PATENT REGISTRATIONS AND APPLICATIONS

Patent No./ Appl. No	Issue Date/ Filing Date	Title	Owner of Record
D728,093	4/28/15	Enteral Feeding Device	Xeridiem Medical Devices
29/445254	2/8/13		Inc.
7856984	12/28/10	Surgical Covering Material	PPC Industries Inc.
11/643590	12/21/06		
7,987,987	8/2/11	Product display system having an integral protective case for housing and displaying a product	Apex Resource Technologies, Inc.
7,475,816	1/13/09	Protective case for a plurality of different sized memory cards	Apex Resource Technologies, Inc.
7,597,199	10/6/09	Battery Tube Storage system, system container and container latch lock	Apex Resource Technologies, Inc.
6,579,261	6/17/03	Double Lumen-Type Catheter	Fermatex Vascular Technologies, LLC
15/435,450	2/17/17	Reinforced Coreless Tube Extrusion Systems and Methods	Fermatex Vascular Technologies, LLC

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RECORDED: 08/01/2023