

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM719382

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	RELEASE OF SECURITY INTEREST		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
CERBERUS BUSINESS FINANCE, LLC		03/31/2022	Limited Liability Company: DELAWARE
RECEIVING PARTY DATA			
Name:	Polk Audio, LLC		
Street Address:	5541 Fermi Court		
City:	Carlsbad		
State/Country:	CALIFORNIA		
Postal Code:	92008		
Entity Type:	Limited Liability Company: DELAWARE		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Serial Number:	88670263	POLK LEGEND	
CORRESPONDENCE DATA			
Fax Number:	2123553333		
<i>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.</i>			
Phone:	2128138800		
Email:	SAlliRampersad@goodwinlaw.com		
Correspondent Name:	GOODWIN PROCTER LLP		
Address Line 1:	620 Eighth Avenue		
Address Line 4:	New York, NEW YORK 10018		
ATTORNEY DOCKET NUMBER:	127739 322414		
NAME OF SUBMITTER:	Shaleena Alli-Rampersad/Paralegal		
SIGNATURE:	/Shaleena Alli-Rampersad/		
DATE SIGNED:	04/06/2022		
Total Attachments: 4			
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OP \$40.00 88670263

**SUPPLEMENT TO RELEASE OF SECURITY INTEREST IN INTELLECTUAL
PROPERTY**

THIS SUPPLEMENT TO RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY is made as of March 31, 2022 to be effective as of April 29, 2021, by CERBERUS BUSINESS FINANCE, LLC, as collateral agent for the Secured Parties (as defined in the IP Release, as such term is defined below) (in such capacity, the “Collateral Agent”).

W I T N E S S E T H:

WHEREAS, Collateral Agent and Grantors (as defined in the IP Release), are parties to (i) that certain Security Agreement dated as of February 28, 2017 (the “Security Agreement”) and (ii) certain IP Security Agreements from time to time entered into pursuant to such Security Agreement by and among Collateral Agent and one or more Grantors (including, but not limited to, those certain IP Security Agreements defined in the IP Release), pursuant to which Grantors granted a security interest to Collateral Agent in, among other things, the Released Trademarks and the Released Patents (as each such term is defined below) as security for certain obligations owing by Grantors;

WHEREAS, certain of such IP Security Agreements were recorded in the U.S. Patent and Trademark Office on such various dates and at such Reel and Frame numbers, including as previously enumerated in the IP Release;

WHEREAS, Collateral Agent executed in favor of Grantors that certain Release of Security Interest in Intellectual Property dated April 29, 2021, which release was recorded (i) in the Trademark Division of the U.S. Patent and Trademark Office (“USPTO”) on, January 11, 2022 at Reel 7556 and Frame 0764 and (ii) in the Patent Division of the USPTO on February 14, 2022 at Reel 059127 and Frame 0278, pursuant to which Collateral Agent released its security interest in and to all of the Trademark and Patent collateral of the Grantors, including without limitation, the Trademarks and Patents identified on Schedule A attached to the IP Release, together with any associated common law rights and goodwill appurtenant thereto.

WHEREAS, certain IP Security Agreements, Trademarks or Patents may have been inadvertently excluded from being explicitly identified in the IP Release or on Schedule A attached thereto, as applicable, as recorded with the USPTO, or may have been inadvertently omitted from the list of Trademarks or Patents as keyed into the USPTO’s online assignment recordation system at the time the IP Release was electronically submitted to the USPTO for filing;

WHEREAS, those certain IP Security Agreements, Trademarks or Patents listed on Schedule 1 attached hereto and made a part hereof have been subsequently identified as having been inadvertently omitted from the IP Release as previously filed with the USPTO, as more particularly described in the foregoing paragraph; and

WHEREAS, Collateral Agent wishes confirm that it intended to release, has released, and hereby release, all of Collateral Agent’s security interest in all right, title and interest in the Trademarks (the “Released Trademarks”) and the Patents (the “Released Patents”) listed on Schedule 1 attached hereto and made a part hereof and reassign the same to Grantors.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which hereby are acknowledged:

1. Collateral Agent hereby confirms that it intended to release, has released, and hereby releases, its security interest in all of Grantors' right, title and interest in and to all of the following:

(a) the Released Trademarks, including any unregistered trademarks and trademark applications of any Grantor, and (i) all renewals thereof, (ii) all income, royalties, damages and payments now and hereafter due and/or payable under and with respect thereto, including, without limitation, payments under all licenses entered into in connection therewith and damages and payments for past or future infringements or dilutions thereof, (iii) the right to sue for past, present and future infringements or dilutions thereof, and (iv) all of Grantors' rights corresponding thereto throughout the world, including any and all goodwill of Grantors' business connected with the use of and symbolized by the Released Trademarks; and


(a) the Released Patents, including any unregistered patents and patent applications of any Grantor, and (i) all renewals thereof, (ii) all income, royalties, damages and payments now and hereafter due and/or payable under and with respect thereto, including, without limitation, payments under all licenses entered into in connection therewith and damages and payments for past or future infringements or dilutions thereof, (iii) the right to sue for past, present and future infringements or dilutions thereof, and (iv) all of Grantors' rights corresponding thereto throughout the world.

2. Collateral Agent hereby confirms that it has reassigned, granted and conveyed, and hereby reassigns, grants and conveys, to Grantors, without any representation, recourse or undertaking by Collateral Agent, all of Collateral Agent's right, title and interest in and to the Released Trademarks, the goodwill of Grantors' business connected with the use of and symbolized by the Released Trademarks and the Released Patents.

[Signature Page to Follow.]

IN WITNESS WHEREOF, Agent has caused this SUPPLEMENT TO RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY to be duly executed by its duly authorized officer as of the day and year first above written.

CERBERUS BUSINESS FINANCE, LLC,
as Collateral Agent

By: 
Name: Daniel E. Wolf
Title: Chief Executive Officer

[SIGNATURE PAGE TO SUPPLEMENT TO RELEASE OF SECURITY INTEREST IN
INTELLECTUAL PROPERTY]

TRADEMARK
REEL: 007683 FRAME: 0542

Schedule 1

IP Security Agreements

1. Trademark Division, Reel/Frame 7065/0894, executed 10/09/2020, filed 10/09/2020
2. Patent Division, Reel/Frame 054859/0244 executed 10/09/2020, filed 12/28/2020
3. Patent Division, Reel/Frame 041909/0611 executed 02/28/2017, filed 03/08/2017
4. Patent Division, Reel/Frame 054300/0611, executed 10/09/2020, filed 10/09/2020

Released Trademarks and Trademark Applications

1. Registration #6466034/ Application #88319873 (HIGHEST FORM OF SOUND), registered 08/31/2021, Registrant: B & W Group Ltd
2. Application #88670263 (POLK LEGEND), filed 10/27/2019, Registrant :Polk Audio, LLC

Released Patents

1. D538767, (AUDIO SYSTEM), registered 05/29/2018, Registrant: B & W Group Ltd
2. D617775, (PORTION OF A SPEAKER), Registered 06/15/2010, Registrant: Polk Audio, LLC
3. D637994, (AUDIO SYSTEM), Registered 05/17/2011, Registrant: Polk Audio, LLC
4. D718738, (SPEAKER), Registered 12/02/2014, Registrant: Polk Audio, LLC
5. D718739, (SQUARE SPEAKER), Registered 12/02/2014, Registrant: Polk Audio, LLC
6. D861640, (AUDIO SOUNDBAR SPEAKER), Registered 10/01/2019, Registrant: Polk Audio, LLC (Assignee, Directed, LLC)
7. D861641, (AUDIO SOUNDBAR SPEAKER), Registered 10/01/2019, Registrant: Polk Audio, LLC (Assignee, Directed, LLC)
8. D861642, (AUDIO SOUNDBAR SPEAKER), Registered 10/01/2019, Registrant: Polk Audio, LLC (Assignee, Directed, LLC)
9. D874432, (AUDIO SUBWOOFER), Registered 02/04/2020, Registrant: Polk Audio, LLC (Assignee, Directed, LLC)
10. 6259169, (FLEXIBLE ALARM BYPASS MODULE FOR A VEHICLE), Registered July 10, 2001, Registrant: Directed, LLC
11. 10560777 (PX HEADPHONES – DUAL ACOUSTIC PATH FOR BALANCE OF AUDIO AND PASSIVE ISOLATION), Registered 08/02/2018, Registrant: B & W Group Ltd