

06-02-1998



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U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks Please record the attached original document or copy thereof.

1. Name of Party(ies) conveying an interest:

Cybex International, Inc.
10 Trotter Way
Medway, Massachusetts 02053

- ☐ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☒ Corporation New York
☐ Other

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of Conveyance:

- ☐ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☒ Other Notice of Grant of Security Interest in Trademarks

Effective Date: May 21, 1998

2. Name and Address of Party(ies) receiving an interest:

Name: First Union National Bank, As Agent
 Street Address: 301 South College Street
 Internal Address: One First Union Center, TW-10
 City: Charlotte State: North Carolina Zip: 28288

- ☐ Individual(s) citizenship
☐ Association
☐ General Partnership

- ☐ Limited Partnership
☐ Corporation
☒ Other National Banking Association

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration number(s)

A. Trademark Application No.(s): N/AB. Trademark Registration No.(s) 2,025,773Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Mark H. Webbink, Esq.
 Internal Address: Moore & Van Allen, PLLC
 Street Address: 2200 West Main Street, Suite 800
 City: Durham State: NC ZIP: 27705

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.4): \$ 40.00
☒ Enclosed
☒ Authorized to be charged to deposit account
 (Any Deficiency)

8. Deposit account number

13-4365

(Attach duplicate copy of this form if paying by deposit account):

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document

Mark H. Webbink, Esq.
 Name of Person Signing

Signature

5/29/98
 Date

Total number of pages including cover sheet, attachments and document: 5

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks
 Box Assignments
 Washington, D.C. 20231

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner Of Patent And Trademarks, Washington, DC 20231, BOX ASSIGNMENTS.

(Typed or printed name of person signing the certificate)

(Signature of the person signing the certificate)

(Date of Signature)

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TRADEMARK
 REEL: 1733 FRAME: 0699

NOTICE
OF
GRANT OF SECURITY INTEREST
IN
TRADEMARKS

United States Patent and Trademark Office

Gentlemen:

Please be advised that pursuant to the Security Agreement dated as of May 21, 1998 (the "Security Agreement ") by and among the Obligors party thereto (each an "Obligor" and collectively, the "Obligors") and First Union National Bank, as Agent (the "Agent") for the financial institutions referenced therein (the "Lenders"), the undersigned Obligor has granted a continuing security interest in and continuing lien upon, the trademarks and trademark applications shown below to the Agent for the ratable benefit of the Lenders:

TRADEMARKS

<u>Trademark No.</u>	Description of Trademark <u>Item</u>	Date of <u>Filing</u>
2,025,773	CYBEX	12/24/96

The Obligors and the Agent, on behalf of the Lenders, hereby acknowledge and agree that the security interest in the foregoing trademarks and trademark applications (i) may only be terminated in accordance with the terms of the Security Agreement and (ii) is not to be construed as an assignment of any trademark or trademark application.

Very truly yours,

CYBEX INTERNATIONAL, INC.

By: [Signature]
Name: W.S. Hufley
Title: VP CFO

Acknowledged and Accepted:

FIRST UNION NATIONAL BANK,

as Agent

By: [Signature]
Name: Glenn F. Edwards
Title: Senior Vice President