

10-05-1999

9-30-99

Form PTO-1594
1-31-92

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SHEET
ONLYU.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

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

1. Name of conveying party(ies):

Consolidated Container Company LLC

- ☐ Individuals
☐ General Partnership -
☐ Corporation-State:
☒ Other - a Delaware limited liability company
- ☐ Association
☐ Limited Partnership

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

3. Nature of conveyance:

- ☐ Assignment
☒ Security Interest
☐ Other
- ☐ Merger
☐ Change of Name

Execution Date: July 1, 1999

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

A. Trademark Application No.(s)

2. Name and address of receiving party(ies):

SEP 30

Name: Bankers Trust Company

Internal Address: _____

Street Address: 130 Liberty StreetCity: New York State: New York ZIP: 10006

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

If assignee is not domiciled in the United States, a domestic representative designation is attached: ☐ Yes ☒ No
 (Designations must be a separate document from Assignment)

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

Trademark Registration No.(s)\

(1,778,529)
(1,454,278)Additional numbers attached? ☐ Yes ☒ No

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

Name: Brian Jaenicke, Legal AssistantInternal Address: White & Case LLPStreet Address: 1155 Avenue of the AmericasCity: New York State: NY ZIP: 10036

6. Total number of applications and registration involved

2

7. Total fee (37 CFR 3.41): \$ 65.00

- ☒ Enclosed
☒ Authorized to be charged to deposit account, in case of deficiency

8. Deposit account number:

(23-1705 in case of deficiency)

(Attach duplicate copy of this page 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.

Brian T. Jaenicke

Name of Person Signing

Signature

Date

9/30/99

Total number of pages comprising cover sheet:

1

OMB No. 0651-0011 (exp. 4/94)

Do not detach this portion

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

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

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503.

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TRADEMARK
 REEL: 001969 FRAME: 0918

ASSIGNMENT OF SECURITY INTEREST IN UNITED STATES
TRADEMARKS

FOR GOOD AND VALUABLE CONSIDERATION, the sufficiency and receipt of which are hereby acknowledged, CONSOLIDATED CONTAINER COMPANY LLC, a Delaware limited liability company (the "Assignor") with principal offices at 2515 McKinney Avenue, Suite 850, Lock Box 14, Dallas, Texas 75201, hereby assigns and grants to BANKERS TRUST COMPANY, as Collateral Agent, with principal offices at 130 Liberty Street, New York, New York 10006 (the "Assignee"), a security interest in (i) all of Assignor's right, title and interest in and to Assignor's trademarks, trademark registrations, and trademark applications more particularly set forth on Schedule A attached hereto (the "Marks"), and all renewals thereof, together with (ii) all Proceeds (as such term is defined in the Security Agreement referred to below) of the Marks, (iii) the goodwill of the business(es) with which the Marks are associated and (iv) all causes of action arising prior to or after the date hereof for infringement of any of the Marks or unfair competition regarding the same.

This ASSIGNMENT OF SECURITY INTEREST is made to secure the satisfactory performance and payment of all the Obligations of the Assignor, as such term is defined in the Security Agreement among the Assignor, the other assignors from time to time party thereto and the Assignee, dated as of July 1, 1999 (as amended from time to time, the "Security Agreement") and shall be effective as of the date of the Security Agreement. Upon the termination of the Security Agreement pursuant to Section 10.9(a) of the Security Agreement, the Assignee shall, upon satisfaction, execute, acknowledge, and deliver to the Assignor an instru-

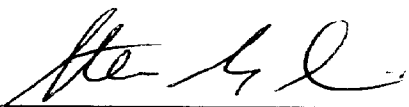
ment in writing releasing the security interest in the Marks acquired under this Assignment of Security Interest.

This Assignment of Security Interest has been granted in conjunction with the security interest granted to Assignee under the Security Agreement. The rights and remedies of the Assignee with respect to the security interest granted herein are without prejudice to, and are in addition to those set forth in the Security Agreement, all terms and provisions of which are incorporated herein by reference. In the event that any provisions of this Assignment of Security Interest are deemed to conflict with the Security Agreement, the provisions of the Security Agreement shall govern.

* * *


IN WITNESS WHEREOF, the undersigned have executed this Assignment of Security Interest as of the first day of July, 1999.

CONSOLIDATED CONTAINER COMPANY LLC
as Assignor

By 

Name: *Steven M. Silver*
Title: *VP*

BANKERS TRUST COMPANY,
as Assignee

By 
Name: Patricia Hogan
Title: Principal

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

On this first day of July, 1999, before me personally came Steven M. Silver
who, being duly sworn, did depose and say that he is vice president of Consolidated
Container Company LLC that he is authorized to execute the foregoing Assignment of Security
Interest on behalf of said limited liability company and that he did so by authority of the Board of
Directors of said limited liability company.

Sandra M. Reddy
Notary Public

SANDRA M. REDDY
NOTARY PUBLIC, State of New York
No. 01386612762
Qualified in New York County
Commission Expires August 31, 2000

LINDY AMOS
Notary Public, State of New York
No. 01AM6002452
Qualified in Kings County
Certificate Filed in New York County
Commission Expires Feb. 9, 2000

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

On this first day of July, 1999, before me personally came Patricia Hogan who, being by me duly sworn, did state as follows: that she is Principal of Bankers Trust Company, that she is authorized to execute the foregoing Assignment of Security Interest on behalf of said corporation and that she did so by authority of the Board of Directors of said corporation.



Notary Public

SCHEDULE A

MARK	SERIAL/ REG.NO.	DATE
DESIGN ONLY (configuration of a jar)	1,778,529	6/22/93
AMERITAINER	1,454,278	8/25/87