

11-26-1999



SHEET

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MKD 11/15/99

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TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

☒ New

☐ Resubmission (Non-Recordation)
Document ID#

☐ Correction of PTO Error

Reel # Frame #

☐ Corrective Document

Reel # Frame #

Conveyance Type

☐ Assignment

☐ License

☐ Security

☐ Nunc Pro Tunc Assignment

☐ Merger

☐ Change of Name

☒ Other

Notice of Grant of Security Interest in Trademarks

Effective Date
Month Day Year
11/5/99

Conveying Party

☐ Mark if additional names of conveying parties attached

Execution Date
Month Day Year

Name Adam Wuest Corporation

11/5/99

Formerly AWI Corporation

☐ Individual

☐ General Partnership

☐ Limited Partnership

☒ Corporation

☐ Association

☐ Other

☒ Citizenship/State of Incorporation/Organization Delaware

Receiving Party

☐ Mark if additional names of receiving parties attached

Name First Union National Bank, as Administrative Agent

DBA/AKA/TA

Composed of

Address (line 1) 301 South College Street

Address (line 2) One First Union Center, TW-9

Address (line 3) Charlotte

NC

28202

City

State/Country

Zip Code

☐ Individual

☐ General Partnership

☐ Limited Partnership

☐ Corporation

☐ Association

☒ Other

National Banking Association

☐ Citizenship/State of

Incorporation/Organization

If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)

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Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

11/24/1999 DNGUYEN 00000129 1817944

01 FC:481

02 FC:482 1245691_1

40.00 UP
50.00 SP

TRADEMARK
REEL: 001992 FRAME: 0353

Domestic Representative Name and Address

Enter for the first Receiving Party Only.

Name

N/A

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Correspondent Name and Address

Area Code and Telephone Number (919) 236-8000

Name

Mark H. Webbink

Address (line 1)

Moore & Van Allen, PLLC

Address (line 2)

2200 West Main Street

Address (line 3)

Suite 800

Address (line 4)

Durham, NC 27705-4658

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

#

7

Trademark Application Number(s) or Registration Number(s)

Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)

Registration Number(s)

1,817,944

233,361

192,274

Number of Properties

Enter the total number of properties involved.

#

3

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$

90.00

Method of Payment:

Enclosed ☒Deposit Account ☒

Deposit Account

(any deficiency)

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

13-4365

Authorization to charge additional fees:

Yes ☒No ☐**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. Charges to deposit account are authorized, as indicated herein.

Mark D. Webbink

Name of Person Signing

Signature

Date Signed

NOTICE
OF
GRANT OF SECURITY INTEREST
IN
TRADEMARKS

United States Patent and Trademark Office

Gentlemen:

Please be advised that pursuant to the Amended and Restated Security Agreement dated as of November 5, 1999 (the "Security Agreement") by and among the Obligors party thereto (each an "Obligor" and collectively, the "Obligors") and First Union National Bank, as Administrative Agent (the "Administrative Agent") for the lenders 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 Administrative Agent for the ratable benefit of the Lenders:

TRADEMARKS

<u>Trademark No.</u>	Description of Trademark <u>Item</u>	Date of <u>Trademark</u>
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See Schedule A attached hereto

Trademark Applications

<u>Trademark Applications No.</u>	Description of Trademark <u>Applied For</u>	Date of Trademark <u>Applications</u>
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See Schedule A attached hereto

The Obligors and the Administrative 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,

ADAM WUEST CORPORATION
(f/k/a AWI Corporation)

By: [Signature]
Name: James Musica
Title: VP

Acknowledged and Accepted:

FIRST UNION NATIONAL BANK,
as Administrative Agent

By: [Signature]
Name: David Silander
Title: Vice President

Schedule A

Adam Wuest Corporation (Delaware corp.)

U.S. Trademarks

Registered Trademarks

Mark	Registration No.	Registration Date
NEW DAWN	1,817,944	1/25/94
"THE REST OF YOUR DAYS DEPEND-ON THE REST OF YOUR NIGHTS"	233,361	9/27/27
CERTIFIED (stylized)	192,274	4/14/25