

12-11-2000



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10-01-00

RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

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 Agreement ☐ Nunc Pro Tunc Assignment
- ☐ Merger
- ☐ Change of Name
- ☒ Other
- Effective Date
Month Day Year

Conveying Party

☐ Mark if additional names of conveying parties attached

Execution Date
Month Day Year

Name

Formerly

- ☐ Individual ☐ General Partnership ☐ Limited Partnership ☐ Corporation ☐ Association
- ☒ Other
- ☐ Citizenship/State of Incorporation/Organization

Receiving Party

☐ Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

State/Country

Zip Code

- ☐ Individual ☐ General Partnership ☐ Limited Partnership

- ☒ Corporation ☐ Association

☐ Other

- ☒ 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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FOR OFFICE USE ONLY

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Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

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

TRADEMARK
REEL: 002191 FRAME: 0980

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Correspondent Name and Address

Area Code and Telephone Number

Name

Meredith A. Parsons

Address (line 1)

Latham & Watkins

Address (line 2)

233 S. Wacker Drive, Suite 5800

Address (line 3)

Chicago, IL 60606

Address (line 4)

Pages

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

#

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)

2,102,213

Number of Properties

Enter the total number of properties involved.

#

1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$

40

Method of Payment:

Enclosed ☒

Deposit Account ☐

Deposit Account

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

Deposit Account Number:

#

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.

Meredith A. Parsons

Name of Person Signing

Signature

12/07/00

Date Signed

RECORDATION FORM COVER SHEET
CONTINUATION
TRADEMARKS ONLY

U.S. Department of Commerce
Patent and Trademark Office
TRADEMARK

Conveying Party

Enter Additional Conveying Party

☒ Mark if additional names of conveying parties attached

Execution Date

Month Day Year

Name The Toronto-Dominion Bank, Individually and as Agent

11 29 2000

Formerly

☐ Individual ☐ General Partnership ☐ Limited Partnership ☐ Corporation ☐ Association

☒ Other lending institution

☒ Citizenship State of Incorporation/Organization Canada

Receiving Party

Enter Additional Receiving Party

☐ Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

☐ Individual ☐ General Partnership ☐ Limited Partnership

☐ Corporation ☐ Association

☐ Other

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☐ Citizenship/State of Incorporation/Organization

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

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

☐ Mark if additional numbers attached

Trademark Application Number(s)

Registration Number(s)

RECORDATION FORM COVER SHEET
CONTINUATION
TRADEMARKS ONLY

Conveying Party

Enter Additional Conveying Party

☐ Mark if additional names of conveying parties attached

Execution Date
Month Day Year
11 29 2000

Name The Bank of Nova Scotia, Individually and as Agent

Formerly

☐ Individual ☐ General Partnership ☐ Limited Partnership ☐ Corporation ☐ Association

☒ Other lending institution

☒ Citizenship State of Incorporation/Organization Canada

Receiving Party

Enter Additional Receiving Party

☐ Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

☐ Individual ☐ General Partnership ☐ Limited Partnership

☐ Corporation ☐ Association

☐ Other

☐ 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 the Assignment.)

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

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

☐ Mark if additional numbers attached

Trademark Application Number(s)

Registration Number(s)

TERMINATION OF A SECURITY INTEREST IN TRADEMARK

WHEREAS, Skyjack Equipment Inc. ("Skyjack Equipment") has granted a security interest in all of Skyjack Equipment's trademarks, including without limitation, those identified on the attached Exhibit A, pursuant to a Security Agreement ("Agreement") in favor of Royal Bank of Canada, The Toronto-Dominion Bank, and The Bank of Nova Scotia ("Lenders");


WHEREAS, Lenders filed the Agreement in the registers of the U.S. Trademark Office at Reel 002026 Frame 0364 on February 17, 2000 to evidence Skyjack Equipment's assignment to Lenders of its rights under the Agreement with respect to Skyjack Equipment's trademarks; and

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Lenders hereby desire to cancel and terminate the Agreement, declare the same null and void, of no further force and effect, and further cancels Lenders' entire interest in Skyjack Equipment's trademarks described in the Agreement.

IN WITNESS WHEREOF, Lenders have caused this Termination of a Security Interest in trademarks to be duly executed as of this 29 day of November, 2000.


Dated this 29 day of November, 2000.

ROYAL BANK OF CANADA, individually and as Agent

By: 
Name: A. A. Leclair
Its: _____

By: _____
Name: _____
Its: _____

THE TORONTO-DOMINION BANK, individually and as Agent

By: 
Name: A. R. RUMBLES
Its: Manager, Commercial Loans

By: _____
Name: _____
Its: _____

THE BANK OF NOVA SCOTIA, individually and
as Agent

By: B. D. McKenzie
Name: B. D. McKenzie
Its: Managing Director

By: _____
Name: _____
Its: _____

CERTIFICATE OF ACKNOWLEDGMENT

PROVINCE OF ONTARIO, CANADA

On this 30th day of November, A.D. 2000, before me,

Tommy Kapsides

, a Notary Public in and for the
PROVINCE OF ONTARIO, CANADA, personally appeared Bernard Lacroix and _____
of Royal Bank of Canada, which executed the above and foregoing instrument, who being to me known
as the identical persons who signed the foregoing instrument, and by me duly sworn, did say that they are the
Vice-President and _____, respectively, of Royal Bank of Canada
and that said instrument was by them signed and sealed on behalf of the said Bank by authority of its Board of
Directors, and they acknowledged the execution of said instrument to be it voluntary act and deed of said Bank, by it
voluntarily executed.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed my Notarial Seal the day and year
last above written.

[Signature]

Notary Public in and for the Province of Ontario, Canada

CERTIFICATE OF ACKNOWLEDGMENT

PROVINCE OF ONTARIO, CANADA.

On this 29th day of November, A.D. 2000, before me,

Tommy Kapsides

, a Notary Public in and for the
PROVINCE OF ONTARIO, CANADA, personally appeared Ross Rumbles and _____
of The Toronto-Dominion Bank, which executed the above and foregoing instrument, who being to me known
as the identical persons who signed the foregoing instrument, and by me duly sworn, did say that they are the
Manager, Commercial Loans and _____, respectively, of The Toronto-Dominion Bank and that
said instrument was by them signed and sealed on behalf of the said Bank by authority of its Board of Directors, and
they acknowledged the execution of said instrument to be the voluntary act and deed of said Bank, by it voluntarily
executed.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed my Notarial Seal the day and year
last above written.

[Signature]

Notary Public in and for the Province of Ontario, Canada



CERTIFICATE OF ACKNOWLEDGMENT

PROVINCE OF ONTARIO, CANADA

On this 7th day of ^{December} ~~November~~, A.D. 2000, before me,

Tommy Kapsalis

, a Notary Public in and for the

PROVINCE OF ONTARIO, CANADA, personally appeared Brian McKenzie and _____

of The Bank of Nova Scotia, which executed the above and foregoing instrument, who being to me known

as the identical persons who signed the foregoing instrument, and by me duly sworn, did say that they are the Managing Director and _____, respectively, of the The Bank of Nova Scotia and that said instrument was by them signed and sealed on behalf of the said Bank by authority of its Board of Directors, and they acknowledged the execution of said instrument to be the voluntary act and deed of said Bank, by it voluntarily executed.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed my Notarial Seal the day and year last above written.

Tommy Kapsalis

Notary Public in and for the Province of Ontario, Canada

K:\REVTHK\RBC\SKYJACK INC\DOCUMENTS\MISC\ROYAL BANK OF CANADA RELEASE OF SATISFACTION MORTGAGE.DOC



Exhibit A

See Attached

SECURITY AGREEMENT AMENDMENT

This Agreement is made as of *December 30*, 1999, between

SKYJACK EQUIPMENT, INC.

as Debtor

and

**ROYAL BANK OF CANADA, THE BANK OF NOVA
SCOTIA and THE TORONTO-DOMINION BANK**

collectively as Lender

RECITALS

A. WHEREAS by a Security Agreement dated November 19, 1999 (the "Security Agreement"), Debtor granted to Lender a security interest in Intellectual Property (as defined in the Security Agreement).

B. AND WHEREAS Debtor and Lender wish to amend the Security Agreement to add a list of trade-marks forming part of Intellectual Property.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of Two Dollars (\$2.00) now paid by each of the parties hereto to the other, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by each party, the parties hereto agree to amend the Security Agreement to include as part of the definition of Intellectual Property the following:

U.S. Trade-mark registration in the name of Skyjack Equipment, Inc.

Trade-mark	Application No.	Registration No.	Registration Date
TK	75/077,968	2, 102,213	September 30, 1997

The parties have executed this Agreement.

SKYJACK EQUIPMENT, INC.

Per: *Ed Henderson*
Name: *Ed Henderson*
Title: *Secretary and Treasurer*

Per: *Joe Nessman*
Name: *Joe Nessman*
Title: *V.P. Finance*

I/We have authority to bind the Corporation.

ROYAL BANK OF CANADA

Per: [Signature]
Name: J. S. PATTERSON
Title: SENIOR MANAGER

Per: [Signature]
Name: J. C. COOPER
Title: Senior Manager

I/We have authority to bind the Bank.

THE BANK OF NOVA SCOTIA

Per: [Signature]
Name: CHRISTOPHER USAS
Title: ASSOCIATE DIRECTOR

Per: [Signature]
Name: B.D. McKenzie
Title: Managing Director

I/We have authority to bind the Bank.

THE TORONTO-DOMINION BANK

Per: [Signature]
Name: A. R. RUMBLES
Title: Manager, Commercial Loans

Per: [Signature]
Name: P. E. BOWENS
Title: Director & Manager
Special Loans Unit, Toronto
Group Risk Management

I/We have authority to bind the Bank