

04-19-2001



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April 19, 2001

VIA MESSENGER

BOX ASSIGNMENTS, CG-4  
Assignment Division  
U.S. Patent and Trademark Office  
1213 Jefferson Davis Highway, Suite 320  
Arlington, Virginia 22202

Re: CMI Industries, Inc.  
Absolute Release of Trademarks Assignments  
Our File No. 24655.0024

APR 19 2001  
U.S. PATENT AND TRADEMARK OFFICE  
ARLINGTON, VIRGINIA

Dear Sir or Madam:

This letter includes all information as required by Trademark Manual of Examining Procedure § 503.05(d) for cover sheet requirements under 37 C.F.R. § 3.31 for recordation of trademarks. Please record the enclosed Absolute Release of Trademarks Assignments as set forth in paragraph 4 below:

1) Name of conveying party: Fleet National Bank, f/k/a BankBoston, N.A., f/k/a The First National Bank of Boston, as Agent

2) Name and address of receiving party:

CMI Industries, Inc. (a Delaware corporation)  
1301 Gervais Street  
Columbia, South Carolina 29201

3) Nature of conveyance: Absolute Release of Trademarks Assignments

4) Please record this Absolute Release against the 3 U.S. trademark registrations listed in Schedule A to the Release.

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02 FC:482 50.00 OF

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- 5) Name and address of party to whom correspondence concerning document should be mailed:
- Elisabeth A. Langworthy, Esquire  
Sutherland Asbill & Brennan LLP  
1275 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004-2415
- 6) Total number of trademark registrations against which to record the Release: 3 (three).
- 7) Total fee enclosed: \$90.00
- 8) If the enclosed payment is insufficient, please draw the deficiency from our Deposit Account No. 19-5029. A duplicate copy of this letter is enclosed for charging purposes.
- 9) Total number of pages to be recorded: 5.
- 10) To the best of my knowledge and belief, the foregoing information is true and correct, and any attached copy of the document is a true copy of the document.

Respectfully submitted,

SUTHERLAND ASBILL & BRENNAN LLP

By:   
Elisabeth A. Langworthy

Enclosures

## SCHEDULE A

Trademark Collateral Assignment and Security Agreement  
Recorded in U.S. Patent and Trademark Office on June 19, 1996  
At Reel/Frame 1447/0882

<b>Mark</b>	<b>Reg. No.</b>
PINEHURST	622,384
CHATHAM (and Design)	1,248,861
CHATHAM	311,097

ABSOLUTE RELEASE OF TRADEMARKS ASSIGNMENTS

Reference is made to that certain Trademark Collateral Assignment and Security Agreement recorded as of June 19, 1996 in the United States Patent and Trademark Office at reel 1447, frame 0882, made by CMI Industries, Inc., a Delaware corporation ("CMI"), in favor of Fleet National Bank, f/k/a BankBoston, N.A., f/k/a The First National Bank of Boston (the "Agent").

WHEREAS, at CMI's request the Agent has agreed, on behalf of the Lenders, to release and terminate its security interests, if any, in the trademarks listed on the attached **Schedule A**;

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Agent does hereby release to CMI, all of Agent's right title and interest in and to the trademarks listed on Schedule A hereto, and the goodwill associated therewith, and all rights pertaining thereto, without recourse, representation or warranty of any kind.

IN WITNESS WHEREOF, the Agent has caused this Release to be duly executed by its authorized officer or agent as of April 9, 2001.

FLEET NATIONAL BANK f/k/a  
BankBoston, N.A., f/k/a The First National  
Bank of Boston, as Agent

By: Rolando J. Robinson  
Name: ROLANDO J. ROBINSON  
Title: AUTHORIZED OFFICER

North Carolina

State of ~~Georgia~~

County of Mecklenburg

ss

On this 13<sup>th</sup> day of April, 2001, before me, a Notary Public in and for the County and State aforesaid, personally appeared Roland J. Robinson, a duly authorized officer at Fleet National Bank, who acknowledged the execution of the foregoing instrument as his own free and voluntary act for and on behalf of such entity and stated his execution on behalf of such entity was duly authorized and approved by all appropriate action of such entity.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal.

Constance M. J. Robinson  
Notary Public

My commission expires: March 6, 2003

