

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
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NATURE OF CONVEYANCE:	NUNC PRO TUNC ASSIGNMENT
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CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
W. R. Bonsal Company		09/18/2003	CORPORATION: NORTH CAROLINA

RECEIVING PARTY DATA	
Name:	Oldcastle Retail, Inc.
Street Address:	8201 Arrowridge Boulevard
City:	Charlotte
State/Country:	NORTH CAROLINA
Postal Code:	28273
Entity Type:	CORPORATION: DELAWARE

PROPERTY NUMBERS Total: 11		
Property Type	Number	Word Mark
Registration Number:	1150735	BONSAL
Registration Number:	1577772	S SUPERIOR
Registration Number:	1281591	SURE-COAT
Registration Number:	1287539	SURE-FIX
Registration Number:	1287095	SURE-MIX
Registration Number:	1281145	SURE-PRODUCTS
Registration Number:	1283357	SURE-RAP
Registration Number:	1296246	SURE-TILE
Registration Number:	946632	SUREWALL
Registration Number:	1123074	SUREWALL
Registration Number:	1412823	SUREWALL

CORRESPONDENCE DATA	
Fax Number:	(704)444-1111
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	

CH \$290.00 1150735

Phone: 704 444 1000
Email: mpoveromo@alston.com
Correspondent Name: Jason P. Cooper, Esq.
Address Line 1: 101 South Tryon Street, Suite 4000
Address Line 2: Bank of America Plaza
Address Line 4: Charlotte, NORTH CAROLINA 28280-4000

ATTORNEY DOCKET NUMBER:	031942-135168
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NAME OF SUBMITTER:	Jason P. Cooper, Esq.
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Total Attachments: 3

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**NUNC PRO TUNC ASSIGNMENT
OF
UNITED STATES TRADEMARK REGISTRATIONS**

THIS ASSIGNMENT, is made by *W. R. Bonsal Company*, a North Carolina corporation, having a principal place of business at 8201 Arrowridge Boulevard, Charlotte, North Carolina 28273 (hereinafter referred to as "ASSIGNOR"), was formerly the exclusive and record owner of the entire right, title, and interest in and to the Trademarks identified in Schedule A, and the corresponding United States Trademark Registrations therefor.

WHEREAS, *Oldcastle Retail, Inc.*, a Delaware corporation, having a principal place of business at 8201 Arrowridge Boulevard, Charlotte, North Carolina 28273 (hereinafter referred to as "ASSIGNEE"), has acquired and purchased from ASSIGNOR the Trademarks identified in Schedule A and the corresponding United States Trademark Registrations, and associated goodwill from ASSIGNOR effective October 25, 2001 and is desirous of confirming that it has done so.

WHEREAS, ASSIGNOR and ASSIGNEE desire to confirm and perfect the sale and assignment of said Trademarks and corresponding United States Trademark Registrations therefor effective October 25, 2001;

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ASSIGNOR hereby acknowledges and confirms that effective October 25, 2001, ASSIGNOR sold, transferred, and assigned to said ASSIGNEE the entire right, title, and interest in and to the Trademarks identified in Schedule A and the corresponding United States Trademark Registrations therefor, together with the goodwill of the business appurtenant to and symbolized by said Trademarks, and all rights of action against third parties for past infringement thereof, the same to be held and enjoyed by said ASSIGNEE as fully and entirely as the same would have been held by ASSIGNOR had the sale, transfer, and assignment not been made.

ASSIGNOR hereby warrants and covenants that it had the full power and authority to convey the rights, title, and interests sold, transferred, and assigned to ASSIGNEE, that it has not executed and will not execute any agreement in conflict herewith, and that it will execute any and all other instruments which may be necessary to perfect and evidence ASSIGNEE's ownership of the property and rights herein conveyed.

IN WITNESS WHEREOF, ASSIGNOR, intending to be legally bound, has caused this Nunc Pro Tunc Assignment to be executed by its duly authorized officer, as of the 18th day of September, 2003.

W. R. Bonsal Company



David Maske
Chief Operating Officer

SCHEDULE A

<u>MARK</u>	<u>Registration No.</u>	<u>Registered</u>
BONSAL	1,150,735	4-14-81
S SUPERIOR & Design	1,577,772	1-16-90
SURE-COAT	1,281,591	6-12-84
SURE-FIX	1,287,539	7-31-84
SURE-MIX	1,287,095	7-24-84
SURE-PRODUCTS	1,281,145	6-12-84
SURE-RAP	1,283,357	6-26-84
SURE-TILE	1,296,246	9-18-84
SUREWALL	946,632	11-7-72
SUREWALL	1,123,074	7-31-79
SUREWALL	1,412,823	10-14-86

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