

FORM PTO-1594 (Rev. 6-03)

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

# RECORDATION FORM COVER SHEET TRADEMARKS ONLY

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Atty Docket No. 00004.293510

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

1. Name of conveying party(ies):

**Best Concrete Products Company JV**  
(formerly Best Concrete Products Company)

- Individuals(s)
- General Partnership
- Corporation-State - Georgia
- Other
- Association
- Limited Partnership

Additional names(s) of conveying party(ies) attached  Yes  No

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other
- Merger
- Change of Name

Execution Date: February 2, 2004

2. Name and address of receiving party(ies)

Name: **Oldcastle Retail, Inc.**

Internal Address:

Street Address: **8201 Arrowridge Blvd.**

City: **Charlotte** State: **NC** Zip: **28273**

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State Delaware
- Other

If assignee is not domiciled in the United States, a domestic representative designation is attached:  Yes  No N/A

Additional names(s) & address(es) attached?  Yes  No

4. Application numbers(s) or patent numbers(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

946,632

Additional numbers attached?  Yes  No

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

Name: **William H. Brewster**

Internal Address: **Kilpatrick Stockton LLP**

Street Address: **1100 Peachtree St., Suite 2800**

City: **Atlanta** State: **GA** Zip: **30309**

6. Total number of applications and registrations involved: **1**

7. Total fee (37 CFR 3.41).....\$ **40.00**

Enclosed

Authorized to be charged to deposit account

The Commissioner is authorized to charge any deficiency in the required fee or credit any over payment to Deposit Account No. 11-0860.

8. Deposit account number:

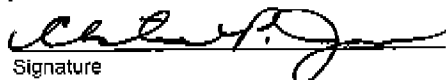
**11-0860**

**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.

**Christine P. James**  
Name of Person Signing

  
Signature

**2/12/04**  
Date

Total number of pages including cover sheet, attachments, and documents: **2**

CIH \$40.00 110860 0946632

**ASSIGNMENT OF TRADEMARK**

**BEST CONCRETE PRODUCTS COMPANY JV**, a Georgia general partnership and the successor to **BEST CONCRETE PRODUCTS COMPANY**, a Georgia corporation ("Assignor"), for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby assigns, grants and delivers, exclusively unto **OLDCASTLE RETAIL, INC.**, a Delaware corporation ("Assignee"), all of Assignor's right, title, and interest of every kind and nature whatsoever in and to the mark "Surewall", Registration No. 0,946,632 filed in the United States Patent and Trademark Office, together with the goodwill symbolized by such mark and the registration thereof, and together with all claims arising out of any past, present or future infringement thereof.

This Assignment is made pursuant to that certain IP Purchase Agreement, dated as of the date hereof, by and among Assignor and Assignee.

**IN WITNESS WHEREOF**, the undersigned has executed this Assignment of Trademark as of this 2<sup>nd</sup> day of February, 2004.

**BEST CONCRETE PRODUCTS COMPANY JV**

Sworn to and subscribed before me this 2 day of February, 2004 and notarized by me on said day.

By: [Signature]  
Name: Garry J. Jackson  
Title: Managing Partner

[Signature]  
Notary Public

My commission expires:

Notary Public, Gwinnett County, Georgia  
My Commission Expires July 14, 2007

**BEST CONCRETE PRODUCTS COMPANY JV**

Sworn to and subscribed before me this 3 day of February, 2004 and notarized by me on said day.

By: [Signature]  
Name: STEVE F. FREEDMAN  
Title: WV

[Signature]  
Notary Public

My commission expires: October 29, 2005