

10-16-2003

Form PTO-1594

(Rev. 10/02)

OMB No. 0651-0027 (exp. 6/30/2005)

U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

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

## 1. Name of conveying party(ies):

SunTrust Bank  
P.O. Box 4418  
Atlanta, GA 30302

10-14-03

- ☐ Individual(s) ☐ Association  
☐ General Partnership ☐ Limited Partnership  
☐ Corporation-State  
☒ Other commercial bank

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

- ☐ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☒ Other Release of Grant of Security Interest

Execution Date: 08/25/2003

## 2. Name and address of receiving party(ies)

Name: NUCO2 Acquisition Corp., 2800 S.E. Internal Market Pl., Stuart, FL 34997  
Address: ANDKoch Compressed Gases, Inc.,  
Street Address: 100 Central Avenue, Bldg 120  
City: Kearny State: NJ Zip: 07032

- ☐ Individual(s) citizenship \_\_\_\_\_  
☐ Association \_\_\_\_\_  
☐ General Partnership \_\_\_\_\_  
☐ Limited Partnership \_\_\_\_\_  
☒ Corporation-State NUCO2 (Florida)  
☐ Other Koch (New Jersey)

If assignee is not domiciled in the United States, a domestic representative designation is attached: ☐ Yes ☒ No  
(Designations must be a separate document from assignment)  
Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 4. Application number(s) or registration number(s):

A. Trademark Application No.(s)

See attached

B. Trademark Registration No.(s)

Additional number(s) attached ☒ Yes ☐ No

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

Name: Danice Kowalczyk, Esq.Internal Address: White & CaseStreet Address: 1155 Avenue of the Americas,  
NY, NY 10036City: NY State: NY Zip: 100366. Total number of applications and registrations involved: 37. Total fee (37 CFR 3.41).....\$ 90.00

- ☒ Enclosed  
☐ Authorized to be charged to deposit account

## 8. Deposit account number:

23-1705

(Attach duplicate copy of this page if paying by deposit account)

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.*

Danice Kowalczyk, Esq.

Name of Person Signing

Signature

8/28/03

Date

Total number of pages including cover sheet, attachments, and document: 5Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patent & Trademarks, Box Assignments  
Washington, D.C. 20231TRADEMARK  
REEL: 002844 FRAME: 0333

SCHEDULE A

NuCo <sub>2</sub>	Reg. No. 1,985,666	Reg. Date 7/9/96
NuCo <sub>2</sub>	Reg. No. 2,068,452	Reg. Date 6/10/97
ACCURROUTE	Reg. No. 2,691,572	Reg. Date 2/25/03

**TRADEMARK RELEASE**

This Release granted on this 25<sup>th</sup> day of August, 2003, by SunTrust Bank, P.O. Box 4418, Atlanta, GA 30302, as Administrative Agent ("Administrative Agent"), to NuCo<sub>2</sub> Acquisition Corp., a Florida corporation, with principal offices at 2800 S.E. Market Place, Stuart, Florida 34997, and Koch Compressed Gases, Inc., a New Jersey corporation, with principal offices at 100 Central Avenue, Building 120, Kearny, New Jersey 07032 ("Assignors"), as follows:

**W I T N E S S E T H**

WHEREAS, the Assignor has heretofore granted to the Administrative Agent a security interest in certain U.S. trademarks, trademark registrations and trademark applications as more particularly set forth on Schedule A attached hereto (the "Marks") to secure the Obligations (as defined in the Security Agreement, dated September 24, 2001, between the Administrative Agent and the Assignor (the "Security Agreement")); and

WHEREAS, the Collateral Agent wishes to release and restore all right, title and interest in and to the Marks to the Assignor and to dissolve any and all Liens and encumbrances respecting the Marks shown on the attached Schedule A hereto.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, the Collateral Agent hereby releases, discharges, quit claims and relinquishes unto the Assignor any and all right, title and interest in and to the Marks, and more particularly, (i) the security interest in the trademarks, trademark registrations and trademark applications as set forth on Schedule A hereto, (ii) all Proceeds (as such term is defined in the Uniform Commercial Code as in effect in the State of New York on August 25<sup>th</sup>, 2003 or under other relevant law) and products of the Marks, (iii) the goodwill of the business symbolized by the Marks and (iv) all causes of action arising prior to August 25<sup>th</sup>, 2003 for infringement of any

COUNTY OF Broward )

Denise Rodriguez

TRADEMARK  
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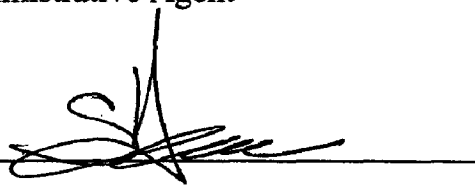
of the Marks or unfair competition regarding the same, and granted to Collateral Agent by the Assignor by the Security Agreement, which Assignment was duly recorded on September 26, 2001 at Trademark Reel 2377, Frame 0158 in the United States Patent and Trademark Office.

IN WITNESS WHEREOF, the undersigned, by and through its authorized officer, has caused this instrument to be executed under seal on the date first written above.

Dated: August 25, 2003

SUNTRUST BANK,  
as Administrative Agent

By \_\_\_\_\_  
Name:

A handwritten signature in black ink, appearing to read 'S Hanas', written over a horizontal line.

Title:

**STEPHEN HANAS**  
VICE PRESIDENT