## TRADEMARK ASSIGNMENT

Electronic Version v1.1 Stylesheet Version v1.1

SUBMISSION TYPE: NEW ASSIGNMENT

NATURE OF CONVEYANCE: Release of Security Interest in Trademarks

#### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Texas Capital Bank		08/27/2004	National Banking Association:

### **RECEIVING PARTY DATA**

Name:	BTU Gases, LLC	
Street Address:	1601 Elm Street	
Internal Address:	Suite 300	
City:	Dallas	
State/Country:	TEXAS	
Postal Code:	75201	
Entity Type:	Limited Liability Company: TEXAS	

### PROPERTY NUMBERS Total: 3

Property Type	Number	Word Mark
Registration Number:	2825269	TEXGAS/LIQUILUX
Registration Number:	2765108	LIQUILUX/TEXGAS
Registration Number:	1134412	LIQUILUX

## **CORRESPONDENCE DATA**

Fax Number: (202)739-3001

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Phone: 202.739.5846

Email: trademarks@morganlewis.com

Correspondent Name: Brett I. Miller, Esq.

Address Line 1: 1111 Pennsylvania Avenue, N.W.

Address Line 2: Attn: TMSU

Address Line 4: Washington, DISTRICT OF COLUMBIA 20004

ATTORNEY DOCKET NUMBER:	001520-0719-0129	
NAME OF SUBMITTER:	Brett I. Miller, Esq.	

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REEL: 002930 FRAME: 0103

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Total Attachments: 2

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> TRADEMARK REEL: 002930 FRAME: 0104

## RELEASE OF SECURITY INTERESTS IN TRADEMARKS

This Release of Security Interests in Trademarks is granted and conveyed as of August 27, 2004 by Texas Capital Bank, a national banking association, having an office at 2100 McKinney Avenue, Suite 900, Dallas, Texas ("Texas Capital"), in favor of BTU Gases, LLC, a Texas limited liability company, having its principal business address at 1601 Elm Street, Suite 300, Dallas, Texas 75201 ("BTU").

WHEREAS, BTU and Texas Capital entered into a Pledge and Security Agreement dated as of April 15, 2004 (the "Security Agreement"), under which BTU granted to Texas Capital a security interest in, among other things, the trademarks listed on the attached Schedule A, any applications for federal registration or federal registrations therefor, and the goodwill associated therewith (the "Marks").

WHEREAS, the United States Patent and Trademark Office ("PTO") recorded the Security Agreement against the Marks on July 7, 2004 at Trademark Reel 2886, Frame 0956.

WHEREAS, BTU has satisfied certain of its outstanding obligations under the Security Agreement, and the parties seek to make a record of Texas Capital's release and reassignment to BTU of any and all of its security interests in the Marks.

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which the parties acknowledge, Texas Capital hereby (1) releases, discharges and relinquishes, as of August 27, 2004 its security interests in the Marks, and (2) reassigns to BTU, as of August 27, 2004, all right, title, and interest that it may have had in the Marks, including the goodwill associated with the Marks, any and all applications or registrations therefor, and the right to sue for past, present and future infringements, and the proceeds thereof, including, without limitation, license royalties and proceeds of infringement suits. Texas Capital specifically acknowledges that it does not own any rights to or have any ownership interest in the Marks, and all of the rights and remedies with respect to the Marks have been and are hereby extinguished.

This release shall not be deemed to discharge the debt secured by the Marks, and this release shall in no way release, affect, or impair the other liens, security interests, assignments, and other rights, titles, and interests created by the Security Agreement and any other mortgage, deed of trust, security agreement, pledge, assignment, or other instrument in favor of Texas Capital.

TEXAS CAPITAL BANK, NATIONAL ASSOCIATION

Paul Howell

Vice President

Date: August 27, 2004

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TRADEMARK REEL: 002930 FRAME: 0105

# **SCHEDULE A**

U.S.	TEXGAS/LIQUILUX	2,825,269
U.S.	LIQUILUX/TEXGAS	2,765,108
U.S.	LIQUILUX	1,134,412

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**RECORDED: 09/03/2004** 

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