

FORM PTO-1594
(Rev. 6-99)

RECORDATION FORM COVER SHEET TRADEMARKS ONLY

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

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

Atty Docket No. O0004/284303

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

1. Name of conveying party(ies):

Chemstone Corporation

- Individuals(s)
- General Partnership
- Corporation-State - Virginia
- 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 6, 2004**

2. Name and address of receiving party(ies)

Name: **Oldcastle Retail, Inc.**

Internal Address: **Suite 350**

Street Address: **375 Northside Road**

City: **Atlanta** State: **GA** Zip: **30350**

- 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)

2,213,335

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**

Enclosed

Authorized to be charged to deposit account

The Commissioner is authorized to charge the required fee 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.

Vaibhav P. Kadaba

Name of Person Signing

Signature

September 27, 2004

Date

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

CH \$40.00 110860 2213335

TRADEMARK ASSIGNMENT

THIS TRADEMARK ASSIGNMENT is made this 6 day of February, 2004 by Chemstone Corporation, a Virginia corporation with a principal place of business at 2620 Main Street, Buchanan, Virginia 24066 ("Assignor"), for the benefit of Oldcastle Retail, Inc., a Delaware corporation with a principal place of business at 375 Northside Road, Suite 350, Atlanta, Georgia 30350 ("Assignee");

WHEREAS, Assignor owns certain rights in the mark KLAYSOFT (the "Trademark") and U.S. Registration No. 2,213,335 dated December 22, 1998 for the mark KLAYSOFT (the "Registration");

WHEREAS, Assignor wishes to assign, grant and deliver exclusively unto Assignee all of its rights, titles and interests of every kind and nature whatsoever in and to the Trademark and the Registration, together with the business of Assignor pertaining to said mark and registration and the goodwill relating thereto, and all rights of action and claims for past infringement thereof; and

WHEREAS, Assignee, as successor to that portion of the business to which the aforementioned Trademark and Registration pertain, is desirous of accepting said assignment;

NOW THEREFORE, in consideration of payment of the sum of ten dollars ((U.S.) \$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby assigns to the Assignee full right, title and interest in and to the Trademark and the Registration, and any registration that issues therefrom, together with that portion of Assignor's business to which the Trademark and Registration pertain and the goodwill of the business symbolized by the Trademark and Registration, and all rights of action and claims for past infringement thereof.

CHEMSTONE CORPORATION

By: *Michael D. Lundin*
Printed Name: MICHAEL D. LUNDIN
Position: PRESIDENT

STATE OF OHIO

On this 6 day of February, 2004 before me appeared Michael D. Lundin, the person who signed this instrument, who acknowledged that he signed it as a free act on behalf of the identified corporation.

Daniel C. Rose
Notary Public
My Commission Expires: _____

Daniel C. Rose
DANIEL C. ROSE
Attorney At Law
Notary Public - State of Ohio
My Commission Has No Expiration Date
Section 147.03 R.C.