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Form PTO-1594 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002) Tab settings



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

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

1. Name of conveying party(ies): The Bank of Nova Scotia, as Collateral Agent. Includes checkboxes for Individual(s), Association, General Partnership, Limited Partnership, Corporation-State (checked), and Other.

2. Name and address of receiving party(ies): Name: New Flyer Industries Limited, a Internal Address: Canadian Corporation Street Address: 711 Kernaghan Avenue City: Winnipeg State: MB Zip: R2C 3T4. Includes checkboxes for citizenship and partnership types, and a note about domestic representative designation.

3. Nature of conveyance: Includes checkboxes for Assignment, Merger, Security Agreement, Change of Name, and Other Trademark Release (checked). Execution Date: 02/27/2004.

4. Application number(s) or registration number(s): A. Trademark Application No.(s) B. Trademark Registration No.(s) SEE SCHEDULE A. Includes checkbox for additional numbers attached.

5. Name and address of party to whom correspondence concerning document should be mailed: Name: Tonya Chapple Internal Address: Clb CSC Street Address: 80 State St. City: Albany State: NY Zip: 12207

6. Total number of applications and registrations involved: 7. Total fee (37 CFR 3.41): \$190.00. Includes checkboxes for Enclosed (checked) and Authorized to be charged to deposit account.

8. Deposit account number:

DO NOT USE THIS SPACE

9. Signature: James P. Murphy (Name of Person Signing), James P. Murphy (Signature), March 3, 2004 (Date). Includes a box for the number of pages (6).

04/28/2004 EDDOPER 00000062 2072380 01 PG:0521 02 PG:0522 40.00 00 150.00 00

Mail documents to be recorded with required cover sheet information to: Commissioner of Patent & Trademarks, Box Assignments Washington, D.C. 20231

TRADEMARK REEL: 002958 FRAME: 0703

**Schedule A**

ICON LOGO & Design (Design Only)	2,072,380
NEW FLYER	1,577,351
NEW FLYER & Design	1,572,970
NEW FLYER & Design	2,177,401
NEW FLYER & Design	2,177,404
NEW FLYER & Design	2,177,405
WINGS Design	2,059,301

**TRADEMARK RELEASE**

This Release granted on this 27<sup>th</sup> day of February, 2004, by The Bank of Nova Scotia, as Collateral Agent ("Collateral Agent"), to New Flyer Industries, Limited, a Canadian corporation with principal offices at 711 Kernaghan Avenue, Winnipeg, Canada ("Assignor"), as follows:

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

WHEREAS, the Assignor has heretofore granted to the Collateral 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 October 15, 1998, between the Collateral 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.

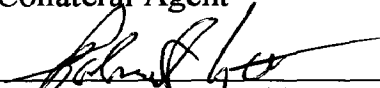
NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, the Collateral Agent hereby releases, discharges, quit claims and relinquishes unto the Assignor any and all right, title and interest in and to the Marks, and more particularly, (i) the security interest in 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 October 15, 1998 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 October 15, 1998 for infringement of any 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 November 16, 1998 at Trademark Reel 1814, Frame 0712 in the United States Patent and Trademark Office.

\* \* \*

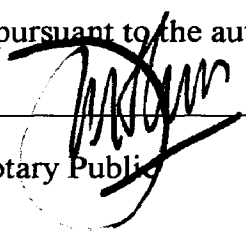
IN WITNESS WHEREOF, the undersigned, by and through its authorized officer, has caused this instrument to be executed on the date first written above.

THE BANK OF NOVA SCOTIA,  
as Collateral Agent

By   
Robert Bruce Lockie  
Vice President

PROVINCE OF ONTARIO )  
 )  
 )

On this 27<sup>th</sup> day of February, 2004, before me personally appeared Robert Bruce Lockie, to me known who, being by me duly sworn, did depose and say that he is the Vice President of The Bank of Nova Scotia described herein and which executed the foregoing instrument and that he signed his name thereto pursuant to the authority granted by said entity.

  
\_\_\_\_\_  
Notary Public

**Designation of Domestic Representative**

**\*U.S. Registration Nos. 2,072,380, 1,577,351, 1,572,970, 2,177,401, 2,177,404,  
2,177,405 and 2,059,301**

Danice Kowalczyk of White and Case LLP, 1155 Avenue of the Americas,  
New York, NY 10036-2787, is hereby designated the United States representative of  
New Flyer Industries Limited, a Canadian Corporation, upon whom notice of process in  
any proceedings concerning the above-referenced mark may be served.

New Flyer Industries Limited, a  
Canadian Corporation

By

Name: Glenn Asham

Title: V.P. Finance

STATEMENT &  
MARK OFFICE

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TRADEMARK FEE PROCESS  
RECEIVED

**Schedule A**

ICON LOGO & Design (Design Only)	2,072,380
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NEW FLYER & Design	1,572,970
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