

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

RECORDATION FORM COVER SHEET TRADEMARKS ONLY

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): Bank of America, National Association

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

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

2. Name and address of receiving party(ies)

Name: GE Capital CPE, Inc.

Internal Address:

Street Address: 201 Merritt 7

City: Norwalk State: CT Zip: 06856

- 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 (Designations must be a separate document from assignment) Additional name(s) & address(es) attached? Yes No

3. Nature of conveyance:

- Assignment, Merger, Security Agreement, Change of Name, Other Confirmatory Assignment of Trademark Security Interest

Execution Date: November 12, 2004

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

A. Trademark Application No.(s)

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: Laura Konrath

Internal Address: Winston & Strawn LLP 33rd Floor

Street Address: 35 W. Wacker Dr.

City: Chicago State: IL Zip: 60601

6. Total number of applications and registrations involved: 27

7. Total fee (37 CFR 3.41) \$ 690

- Enclosed, Authorized to be charged to deposit account

8. Deposit account number:

232428

DO NOT USE THIS SPACE

9. Signature.

Laura Konrath Name of Person Signing

Signature

Date 12/6/04

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

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

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Continuation  
Item 4

**SCHEDULE 1**

**REGISTERED TRADEMARKS**

1. Carmeuse Lime, Inc.

	Trademark	Registration Number	Registration Date
1	CROWN	777,227	
2	FEED-RITE	550,433	
3	QUIK-SLAK	522,533	
4	MARBLEHEAD (Mineral Feeds for Poultry & Livestock)	528,016	
5	MARBLEHEAD (Lime Used for Industrial and Construction Purposes)	516,411	10/18/1949
6	POLYHYDRATE	1,044,175	7/20/1976
7	CALFERRITE	1,642,827	4/30/1991
8	DOLOFLUX	1,639,106	3/26/1991

2. Dravo Corporation

	Trademark	Serial Number	Registration Date
9	LECTROCLEAR	1,115,587	3/27/1979
10	THIOSORBIC	1,007,893	4/1/1975
11	DRAVO (Industrial and waste water treatment units)	1,095,867	7/11/1978
12	DRAVO (Tow boats, barges and other boats)	1,095,898	7/11/1978
13	DRAVO (Transportation of freight, ... and warehousing services)	1,096,283	7/11/1978
14	DRAVO (Fabricated piping, pressure vessels and metal grating)	1,080,785	1/3/1978

15	DRAVO (Industrial machinery...)	1,080,811	1/3/1978
16	DRAVOCORE	1,488,217	5/17/1988
17	DRAVOPLAN	1,522,161	1/24/1989
18	DRAVO VAN HOUTEN	1,474,578	1/26/1988
19	FLYING SAUCER	639,005	12/25/1956
20	WELLMAN-GALUSHA	1,063,240	4/12/1977

## 3. Carmeuse Lime &amp; Stone, Inc

	Trademark	Serial Number	Registration Date
21	DRAVO (Engineering services in ... planning and operating ... industrial plants)	1,101,739	9/5/1978
22	THIOCLEAR	1,766,972	4/20/1993
23	CALCILOX	999,460	12/17/1974
24	DRAVO (Building materials--namely sand, gravel, concrete and lime)	1,098,802	8/8/1978
25	MAG-RECOVERY	75-049066	1/26/1996
26	DRAVO (Building materials-namely sand, gravel, concrete and lime)	1,098,802	8/8/1978
27	MAG-RECOVERY	75-049066	1/26/1996

**CONFIRMATORY ASSIGNMENT OF TRADEMARK SECURITY INTEREST****(TRADEMARKS, TRADEMARK APPLICATIONS  
AND TRADEMARK LICENSES)**

WHEREAS, each of CARMEUSE LIME, INC., a Delaware corporation, Carmeuse Lime (Canada) Limited (f/k/a Beachville Lime Limited), a corporation organized under the laws of the Province of Ontario, Canada, and Carmeuse North America B.V., a company organized under the laws of the Netherlands has granted to Bank of America, N.A., as successor by merger to Bank of America National Trust and Savings Association, a national banking association, as Agent (the "ASSIGNOR"), pursuant to that certain Trademark Security Agreement, dated as of April 12, 1999, a security interest in and to certain trademarks identified in Schedule 1 hereto, including the trademark registrations and applications for registration thereof, the common law rights pertaining thereto, and in and to the goodwill of the business symbolized by the trademarks and connected with the use thereof, (hereinafter the "SECURITY INTEREST") and ASSIGNOR has recorded said SECURITY INTEREST with the U.S. Patent and Trademark Office Assignment Division; and

WHEREAS, GE Capital CFE, Inc., a Delaware corporation with a place of business at 201 Merritt 7, P.O. Box 5201, Norwalk, CT 06856-5201 (hereinafter "ASSIGNEE"), has succeeded by that certain Agreement, dated November 9, 2004, and is desirous of succeeding of record, to the rights thus owned by ASSIGNOR and acquiring of record therefrom all of ASSIGNOR's right, title and interest in, to and under the SECURITY INTEREST;

NOW, THEREFORE, in consideration of the foregoing premises and the mutual promises set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. ASSIGNOR effective November 9, 2004, did and hereby does assign, transfer and convey to ASSIGNEE, its successors, legal representatives and assigns, all of ASSIGNOR's right, title, and interest in and to the SECURITY INTEREST in all jurisdictions.

2. ASSIGNOR hereby agrees to authorize and request the Commissioner of Patents and Trademarks of the United States of America and the appropriate officers of all other jurisdictions in which the SECURITY INTEREST is recorded or in which an application for recordation of the SECURITY INTEREST is pending, to record the title of ASSIGNEE, its successors, legal representatives and assigns, as owner of all right, title and interest in and to the SECURITY INTEREST, and to issue the Notice of Recordation resulting from any such application for recordation of the SECURITY INTEREST to ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

ASSIGNOR agrees that it will execute and deliver, or cause to be executed and delivered, to ASSIGNEE or ASSIGNEE's legal representatives, any other or additional assignments, documents, certificates, powers or other writings, and take all additional actions, as may be necessary to transfer the SECURITY INTEREST to ASSIGNEE, to effectuate and validate this Confirmatory Assignment, to record this Confirmatory Assignment of the SECURITY INTEREST to ASSIGNEE with the United States Patent and Trademark Office and the

appropriate agencies and offices of all jurisdictions in which the SECURITY INTEREST is or may be recorded or in which applications for recordation of the SECURITY INTEREST are pending, under the relevant laws of the United States or any other jurisdictions.

[Signature page follows]

IN WITNESS WHEREOF, the undersigned has executed this Confirmatory Assignment as of this 12 day of November, 2004.

BANK OF AMERICA, NATIONAL ASSOCIATION, as successor by merger to Bank of America National Trust and Savings Association

By: [Signature]  
Name: MICHAEL HAMMOND  
Title: SENIOR VICE PRESIDENT

State of Illinois )  
County of Cook ) ss

On this 12th day of November, 2004, before me personally appeared Michael Hammond to me personally known, who being duly sworn, did say that he/she is the Senior Vice President Bank of America, National Association, as successor by merger to Bank of America National Trust and Savings Association, and that he/she duly executed the foregoing instrument for and on behalf of Bank of America, National Association, as successor by merger to Bank of America National Trust and Savings Association, being duly authorized to do so and that said individual acknowledged said instrument to be the free act and deed of said corporation.

[Signature]  
Notary Public



SEAL

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