

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

|                                  |  |                       |                            |
|----------------------------------|--|-----------------------|----------------------------|
| <b>SUBMISSION TYPE:</b>          | NEW ASSIGNMENT   |                       |                            |
| <b>NATURE OF CONVEYANCE:</b>     | Trademark Release and Reassignment   |                       |                            |
| <b>CONVEYING PARTY DATA</b>      |  |                       |                            |
| <b>Name</b>                      | <b>Formerly</b>  | <b>Execution Date</b> | <b>Entity Type</b>         |
| Dymas Funding Company, LLC       |  | 10/25/2005            | LIMITED LIABILITY COMPANY: |
| <b>RECEIVING PARTY DATA</b>      |  |                       |                            |
| <b>Name:</b>                     | Duramax, Inc.  |                       |                            |
| <b>Street Address:</b>           | 16025 Johnson Street   |                       |                            |
| <b>City:</b>                     | Middlefield  |                       |                            |
| <b>State/Country:</b>            | OHIO   |                       |                            |
| <b>Postal Code:</b>              | 44062  |                       |                            |
| <b>Entity Type:</b>              | CORPORATION:   |                       |                            |
| <b>PROPERTY NUMBERS Total: 2</b> |  |                       |                            |
| <b>Property Type</b>             | <b>Number</b>  | <b>Word Mark</b>      |                            |
| <b>Serial Number:</b>            | 74450498   | SMOOTHAMMER           |                            |
| <b>Serial Number:</b>            | 73836540   | SMOOTHDRILL           |                            |
| <b>CORRESPONDENCE DATA</b>       |  |                       |                            |
| <b>Fax Number:</b>               | (936)494-0102  |                       |                            |
|                                  | <i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i> |                       |                            |
| <b>Phone:</b>                    | 936-441-0102   |                       |                            |
| <b>Email:</b>                    | ccooke@cooke-law.com   |                       |                            |
| <b>Correspondent Name:</b>       | Claude E. Cooke, Jr.   |                       |                            |
| <b>Address Line 1:</b>           | 2040 North Loop 336 West, Suite 123  |                       |                            |
| <b>Address Line 4:</b>           | Conroe, TEXAS 77304  |                       |                            |
| <b>ATTORNEY DOCKET NUMBER:</b>   | 04.1001.01   |                       |                            |
| <b>NAME OF SUBMITTER:</b>        | Claude E. Cooke, Jr.   |                       |                            |
| <b>Signature:</b>                | /cec/  |                       |                            |

OP \$65.00 74450498

Date:

11/18/2005

**Total Attachments: 3**

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**TRADEMARK RELEASE AND REASSIGNMENT**

THIS TRADEMARK RELEASE AND REASSIGNMENT is made as of October 25, 2005, by **DYMAS FUNDING COMPANY, LLC** ("Bank").

WITNESSETH:

WHEREAS, Bank and Duramax, Inc., an Ohio corporation ("**Grantor**"), were parties to that certain Assignment for Security – Trademarks dated as of May 3, 2004 (the "**Assignment**"), pursuant to which Grantor granted a security interest to Bank in certain trademarks (the "**Trademarks**") and Trademark Rights (as defined below) as security for certain obligations owing by Grantor to Bank, including the Trademarks set forth on Schedule 1 hereto; and

WHEREAS, the Assignment was recorded by the Trademark Division of the United States Patent and Trademark Office on May 21, 2004, at Reel 2967, Frame 0613; and

WHEREAS, Grantor has requested that Bank release its security interest in the Trademarks and Trademark Rights and reassign the same to Grantor.

NOW THEREFORE, for good and valuable consideration, receipt and sufficiency of which are hereby acknowledged:

1. Bank hereby releases its security interest in all of Grantor's right, title and interest in and to the following (collectively the "**Trademark Rights**"):

(i) each Trademark listed on Schedule I annexed hereto, together with any reissues, continuations or extensions thereof; and

(ii) the good will of the business symbolized by the Trademarks and the applications and registrations thereof, and all proceeds thereof, including, without limitation, any and all causes of action which may exist by reason of infringement thereof and any and all damages arising from past, present and future violation thereof.

2. Bank hereby reassigns, grants and conveys to Grantor, without any representation, recourse or undertaking by Bank, all of Bank's right, title and interest in and to the Trademarks and the Trademark Rights.

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*[Signature Page Follows]*

**TRADEMARK**  
**REEL: 003196 FRAME: 0993**

IN WITNESS WHEREOF, Bank has caused this Trademark Release and Reassignment to be executed as of the day and year first above written.

**DYMAS FUNDING COMPANY, LLC**

By: Dymas Capital Management  
Company, LLC, its Manager

By: 

Name: ALBERT M. PICCOLLO

Title: UNDERMARK DIRECTOR

REEL: 003196 FRAME: 0994

Trademark Description

SMOOTHAMMER  
SMOOTHDRILL

U.S. Trademark Serial No

74450498  
73836540