

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

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| SUBMISSION TYPE: | NEW ASSIGNMENT |
| NATURE OF CONVEYANCE: | Release of Security Interest in Trademarks |

CONVEYING PARTY DATA

| Name | Formerly | Execution Date | Entity Type |
|---|----------|----------------|-------------|
| The Bank of New York Trust Company, N.A. as successor to General Electric Capital Corporation | | 07/31/2007 | Agent: |

RECEIVING PARTY DATA

| | |
|------------------------|----------------------------------|
| Name: | Business Telecom, Inc. |
| Street Address: | 7037 Old Madison Pike, Suite 400 |
| City: | Huntsville |
| State/Country: | ALABAMA |
| Postal Code: | 35806 |
| Entity Type: | CORPORATION: NORTH CAROLINA |

PROPERTY NUMBERS Total: 9

| Property Type | Number | Word Mark |
|----------------|----------|----------------------------------|
| Serial Number: | 76178374 | THE FASTEST CAT ON THE NET |
| Serial Number: | 76137029 | BTI PLUS DESIGN |
| Serial Number: | 76135122 | US DATACOM |
| Serial Number: | 76135110 | MAX COMMERCE A BTI COMPANY |
| Serial Number: | 76135109 | BTINET |
| Serial Number: | 76134793 | MAX COMMERCE |
| Serial Number: | 76122646 | INVOICE ONLINE |
| Serial Number: | 76120826 | INVOICE ONLINE |
| Serial Number: | 76111895 | BTI THE FUTURE OF COMMUNICATIONS |

CORRESPONDENCE DATA

Fax Number: (917)777-2432
Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

CH \$240.00 76178374

Phone: 212 735 2432
Email: mfagin@skadden.com
Correspondent Name: Matthew Fagin
Address Line 1: 4 Times Square
Address Line 4: New York, NEW YORK 10036

| | |
|-------------------------|-----------------|
| ATTORNEY DOCKET NUMBER: | 091450/2 |
| NAME OF SUBMITTER: | Matthew Fagin |
| Signature: | /Matthew Fagin/ |
| Date: | 07/31/2007 |

Total Attachments: 4
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RELEASE OF SECURITY INTEREST IN TRADEMARKS

This RELEASE OF SECURITY INTEREST IN TRADEMARKS ("Release") is given as of this 31 day of July, 2007, by THE BANK OF NEW YORK TRUST COMPANY, N.A., located at 100 Ashford Center North, Suite 520, Atlanta, Georgia 30338 as successor to GENERAL ELECTRIC CAPITAL CORPORATION, in its capacity as Agent for the Lenders (together with its successors in such capacities, the "Assignor"), in favor of BUSINESS TELECOM, INC., a North Carolina corporation, located at 7037 Old Madison Pike, Suite 400 Huntsville, Alabama 35806, ("Assignee").

Capitalized terms used in this Release, but not defined herein, shall have the respective meanings ascribed to them in the Trademark Security Agreement or Credit Agreement referred to below, as applicable.

WHEREAS, Assignor, Assignee and Lenders entered into that certain Second Amended and Restated Loan Agreement, as of September 22, 1997 (as at any time amended, the "Credit Agreement"), and Assignor and Assignee entered into that certain Trademark Security Agreement, dated as of January 24, 2001 (as at any time amended, the "Trademark Security Agreement");

WHEREAS, the Trademark Security Agreement was recorded with the U.S. Patent and Trademark Office on April 12, 2001, at Reel 2282/Frame 0441;

WHEREAS, pursuant to the Credit Agreement and the Trademark Security Agreement, Assignee granted to Assignor, on behalf of itself and Lenders, a continuing first priority security interest in all of Assignee's right, title and interest in, to and under the Trademark Collateral, including the Trademarks and Trademark Licenses listed on Exhibit A hereto, in each case, whether then existing or thereafter created or acquired;

WHEREAS, the Parties desire that Assignor terminate and release its continuing first priority security interest in the Trademark Collateral.

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

Assignor hereby terminates and releases its continuing first priority security interest in all right, title and interest in and to and under the Trademark Collateral, and reassigns any and all interest that it may have therein to Assignee.

Assignor hereby authorizes Assignee or Assignee's authorized representative to (i) record this Release with the United States Patent and Trademark Office, (ii) file UCC Financing Statement Amendments with the applicable filing office in order to memorialize the release of any security interest of Assignor in the Trademark Collateral, and/or (iii) otherwise file this Release.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, Assignor has caused this **RELEASE OF SECURITY INTEREST IN TRADEMARKS** to be executed and delivered by its officer thereunto duly authorized as of the date above first written.

ASSIGNOR:

**THE BANK OF NEW YORK TRUST
COMPANY, N.A.**, as Collateral Agent, as
successor to General Electric Capital
Corporation

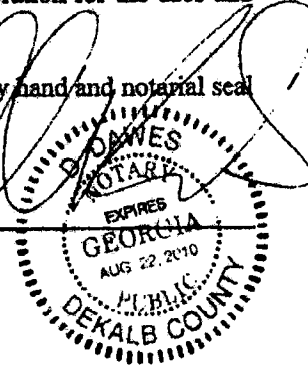
By: 
Name: THOMAS E. CLOWER
Title: **VICE PRESIDENT**

STATE OF Georgia)
SS.
COUNTY OF DeKalb)

I, a notary public, in and for the county and state aforesaid, do hereby certify that Thomas E. Clouse, personally known to me to be the Vice President of The Bank of New York Trust Company, N.A., appeared before me this day in person and acknowledged that (s)he signed the above and foregoing instrument as his/her free and voluntary act and as the free and voluntary act of said corporation pursuant to authority granted to him/her by the governing body of said corporation for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal
this 31st day of July, 2007.

Notary Public



My commission expires:

EXHIBIT A TO RELEASE OF SECURITY INTEREST IN TRADEMARKS

TRADEMARK COLLATERAL

SCHEDULE I

Service Marks owned by Business Telecom, Inc.

| <u>Mark</u> | <u>Application Filed</u> | <u>Serial Number</u> | <u>Status</u> |
|---|---------------------------------|-----------------------------|----------------------|
| The Fastest Cat on the Net | 12/11/2000 | 76/178374 | Pending |
| BTI plus new design (cable) | 9/29/00 (intent) | 76/137029 | Pending |
| US Datacom (stylized) | 9/25/00 | 76/135122 | Pending |
| Max Commerce (stylized) | 9/25/00 | 76/135110 | Pending |
| BTINET | 9/25/00 | 76/135109 | Pending |
| Max Commerce | 9/26/00 | 76/134793 | Pending |
| Invoice Online plus design | 9/05/00 | 76/122646 | Pending |
| Invoice Online | 9/05/00 | 76/120826 | Pending |
| BTI the Future of Communications | 8/17/00 | 76/111895 | Pending |