

# TRADEMARK ASSIGNMENT

Electronic Version v1.1

Stylesheet Version v1.1

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	RELEASE BY SECURED PARTY		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
Bank of America, N.A.		08/13/2007	National Banking Association: UNITED STATES
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	Duraflame, Inc.		
<b>Street Address:</b>	2894 Monte Diablo Avenue		
<b>City:</b>	Stockton		
<b>State/Country:</b>	CALIFORNIA		
<b>Postal Code:</b>	95203		
<b>Entity Type:</b>	CORPORATION: CALIFORNIA		
<b>PROPERTY NUMBERS Total: 34</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
Serial Number:	75253951	ANYTIME	
Serial Number:	76228380	ATMOSFIRE	
Serial Number:	74470904	CAL OAK	
Serial Number:	73374038	CEDARFLAME	
Serial Number:	73460532	CEDARFLAME	
Serial Number:	76304990	CELEBRITE	
Serial Number:	76034215	COLORLOG	
Serial Number:	75584709	CRACKLEFLAME	
Serial Number:	78233214	CREOSOLVE	
Serial Number:	73374067	DURAFLAME	
Serial Number:	75044627	DURAFLAME	
Serial Number:	75857122	DURAFLAME	
Serial Number:	73374002	DURAFLAME	
Serial Number:	75044626	DURAFLAME	

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**TRADEMARK**  
**REEL: 003616 FRAME: 0558**

Serial Number:	73695083	DURAFLAME
Serial Number:	73374029	DURAFLAME
Serial Number:	75096082	DURAFLAME HEARTH ESSENTIALS
Serial Number:	75252292	EASYTIME
Serial Number:	74461309	FIRESTART
Serial Number:	74100058	FIRESTART
Serial Number:	75252106	FIRETIME
Serial Number:	73373999	
Serial Number:	78228510	FLUE-RENEW
Serial Number:	76214737	FRESH LIGHT
Serial Number:	74649013	INSTA-MATCH
Serial Number:	76314535	IRONWOOD
Serial Number:	78387490	JUMBO START
Serial Number:	76215074	OPEN AIR
Serial Number:	74146459	QUICK START
Serial Number:	75002180	QUIK START
Serial Number:	74046939	QUIKSTART
Serial Number:	75332288	THE SECRET OF FIRE
Serial Number:	75797087	TIMBER GLOW
Serial Number:	75252053	XTRATIME

#### CORRESPONDENCE DATA

Fax Number: (415)693-2222

*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*

Phone: 4156932440

Email: crhem@cooley.com

Correspondent Name: Cooley Godward Kronish LLP

Address Line 1: 101 California Street, 5th Floor

Address Line 2: Attn: C. Rhem

Address Line 4: San Francisco, CALIFORNIA 94111-5800

ATTORNEY DOCKET NUMBER:	DURAFLAME 036703-1317
NAME OF SUBMITTER:	Chris Rhem
Signature:	/CR/
Date:	09/06/2007

Total Attachments: 10

**TRADEMARK**  
**REEL: 003616 FRAME: 0559**

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RELEASE AND REASSIGNMENT OF  
TRADEMARKS AND TRADEMARK APPLICATIONS

Reference is hereby made to that certain Trademark Security Agreement, dated as of August 9, 2004 (the "Agreement"), executed by Duraflame, Inc., a California corporation (the "Company"), in favor of Bank of America, N.A., as administrative agent (the "Agent") which was recorded in the United States Patent and Trademark Office on December 6, 2005, at Reel 003205, Frame 0234, pursuant to which the Company assigned and granted to Agent a security interest in and to all of Company's right, title and interest in and to certain trademarks and trademark applications, including those trademarks and trademark applications specifically listed on Exhibit A attached hereto and the goodwill associated therewith (collectively, the "Marks");


WHEREAS, Agent wishes to release, retransfer and reassign to Company, without representation or warranty, all of Agent's right, title and interest in and to the Marks and the goodwill associated therewith;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Agent hereby releases, retransfers and reassigns to Company, without representation or warranty, all of Agent's right, title and interest in and to the Marks and the goodwill associated therewith.

[Signature page to follow.]

IN WITNESS WHEREOF, Agent has executed this Release and Reassignment of Registered Trademarks and Trademark Applications as of this as of this 13 day of August, 2007.

**BANK OF AMERICA, N.A.**

By:   
Name: JOHN TALLE, V.P.  
Title: VP

S-1  
Trademark Release

**TRADEMARK**  
**REEL: 003616 FRAME: 0562**

Exhibit A  
Trademarks

BN 1338048v1

Exhibit A

SCHEDULE 1 TO  
TRADEMARK SECURITY AGREEMENT

I. <u>Registered Trademarks</u>						
<u>Title</u>	<u>Country</u>	<u>Owner</u>	<u>Serial Number</u>	<u>Registration Number</u>	<u>Date</u>	
Duraflame	Argentina	Duraflame, Inc.		1762395	11/17/1999	
Duraflame	Australia	Duraflame, Inc.		A475626	8/13/1990	
Duraflame & Flame Design	Australia	Duraflame, Inc.		477354	11/27/1987	
Duraflame & Rainbow Design	Australia	Duraflame, Inc.		475623	10/29/1987	
Flame Design	Australia	Duraflame, Inc.		B475625	10/29/1987	
Duraflame	Benelux	Duraflame, Inc.		386066	9/30/1982	
Duraflame	Brazil	Duraflame, Inc.		821208977	12/18/2001	
Cal Oak	California	Duraflame, Inc.		96804	10/26/1992	
Cedarflame	California	Duraflame, Inc.		66773	7/21/1982	
Cedarflame & Flame Design	California	Duraflame, Inc.		66801	7/21/1982	
Duraflame	California	Duraflame, Inc.		66796	7/21/1982	
Duraflame & Flame Design	California	Duraflame, Inc.		66797	7/21/1982	
Duraflame & Flame Design	California	Duraflame, Inc.		86545	1/13/1988	
Duraflame & Rainbow Design	California	Duraflame, Inc.		66799	7/21/1982	
Firestart & Flame Design	California	Duraflame, Inc.		93315	11/14/1990	
Flame Design	California	Duraflame, Inc.		66795	7/21/1982	
Quickstart & Flame Design	California	Duraflame, Inc.		88661	10/5/1998	
Quickstart & Flame Design	California	Duraflame, Inc.		92760	7/18/1990	
Anytime	Canada	Duraflame, Inc.		556030	1/7/2002	
Atmosfire	Canada	Duraflame, Inc.		App - 1100116	4/18/2001	
Cedarflame	Canada	Duraflame, Inc.		292148	6/22/1984	
Cedarflame & Tree Design	Canada	Duraflame, Inc.		307379	10/18/1985	
Colorlog	Canada	Duraflame, Inc.		564108	6/27/2002	

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<u>Title</u>	<u>Country</u>	<u>Owner</u>	<u>Serial Number</u>	<u>Registration Number</u>	<u>Date</u>
Crackleflame	Canada	Duraflame, Inc.		App - 1042720	1/12/2000
Creosolve	Canada	Duraflame, Inc.		App - 1173917	4/2/2003
Duraflame	Canada	Duraflame, Inc.		321461	12/5/1986
Duraflame & Flame Design	Canada	Duraflame, Inc.		321460	12/5/1996
Duraflame & Rainbow Design	Canada	Duraflame, Inc.		316926	8/1/1986
Easyltime	Canada	Duraflame, Inc.		TMA577093	3/7/2003
Firestart	Canada	Duraflame, Inc.		561302	5/2/2002
Firetime	Canada	Duraflame, Inc.		563490	6/14/2002
Flame Design	Canada	Duraflame, Inc.		315994	7/4/1986
Flue-Renew	Canada	Duraflame, Inc.		App - 1173918	4/3/2003
Fresh Light	Canada	Duraflame, Inc.		583986	6/18/2003
Insta-Match	Canada	Duraflame, Inc.		566003	8/19/2002
Ironwood	Canada	Duraflame, Inc.		592698	10/21/2003
Jumbo Start	Canada	Duraflame, Inc.		App - 1216296	5/11/2004
Open Air	Canada	Duraflame, Inc.		TMA590765	9/25/2003
Quick Start	Canada	Duraflame, Inc.		582123	5/22/2003
Xtratime	Canada	Duraflame, Inc.		556025	1/7/2002
Duraflame	Chile	Duraflame, Inc.		434520	11/21/1994
Duraflame	Chile	Duraflame, Inc.		626728	4/5/2002
Duraflame & Flame Design	Chile	Duraflame, Inc.		475918	1/3/1997
Duraflame & Rainbow Design	Chile	Duraflame, Inc.		631145	4/13/1992
Duraflame	China	Duraflame, Inc.		1536391	3/14/2001
Duraflame	China	Duraflame, Inc.		1562530	4/28/2001
Duraflame	China	Duraflame, Inc.		1555295	4/14/2001
Duraflame	Colombia	Duraflame, Inc.		219290	6/17/1999
Duraflame	Denmark	Duraflame, Inc.		VR06.686/1993	9/24/1993

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<u>Title</u>	<u>Country</u>	<u>Owner</u>	<u>Serial Number</u>	<u>Registration Number</u>	<u>Date</u>
Crackleflame	European Community	Duraflame, Inc.		1075308	5/3/2000
Duraflame	European Community	Duraflame, Inc.		125880	2/24/1999
Duraflame	European Community	Duraflame, Inc.		874420	3/19/2001
Firestart & Flame Design	European Community	Duraflame, Inc.		55707	11/8/1999
Fresh Light	European Community	Duraflame, Inc.		215557774	6/14/2002
Insta-Match	European Community	Duraflame, Inc.		874388	10/16/2000
Cedarflame	France	Duraflame, Inc.		1283713	9/11/1984
Duraflame	France	Duraflame, Inc.		1218938	11/15/1982
Duraflame	France	Duraflame, Inc.		1467557	5/24/1998
Firestart & Flame Design	France	Duraflame, Inc.		1677059	3/18/1991
Duraflame	Germany	Duraflame, Inc.		1130192	11/8/1988
Duraflame	Hungary	Duraflame, Inc.		15779	9/14/1999
Duraflame	Israel	Duraflame, Inc.		97814	11/5/1996
Duraflame	Italy	Duraflame, Inc.		525745	4/6/1990
Firestart & Flame Design	Italy	Duraflame, Inc.		609046	11/17/1993
Cedarflame	Japan	Duraflame, Inc.		2548332	6/30/1993
Duraflame	Japan	Duraflame, Inc.		2559884	7/30/1993
Duraflame & Flame Design	Japan	Duraflame, Inc.		2559885	7/30/1993
Duraflame & Flame Design	Japan	Duraflame, Inc.		2515620	3/31/1993
Duraflame & Rainbow Design	Japan	Duraflame, Inc.		2559887	7/30/1993
Firestart & Flame Design	Japan	Duraflame, Inc.		2704639	2/28/1995
Flame Design	Japan	Duraflame, Inc.		2559886	7/30/1993
Duraflame	Korea, Republic of	Duraflame, Inc.		451689	7/27/1999

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<u>Title</u>	<u>Country</u>	<u>Owner</u>	<u>Serial Number</u>	<u>Registration Number</u>	<u>Date</u>
Duraflame	Lebanon	Duraflame, Inc.		78166	12/14/1998
Atmosfire	Mexico	Duraflame, Inc.		716578	9/25/2001
Celebrite	Mexico	Duraflame, Inc.		762952	9/27/2002
Colorlog	Mexico	Duraflame, Inc.		683191	1/24/2001
Duraflame	Mexico	Duraflame, Inc.		312628	10/10/1985
Duraflame & Flame Design	Mexico	Duraflame, Inc.		358001	1/13/1989
Duraflame & Rainbow Design	Mexico	Duraflame, Inc.		318821	10/30/1986
Flame Design	Mexico	Duraflame, Inc.		370451	12/4/1989
Fresh Light	Mexico	Duraflame, Inc.		729834	1/15/2002
Insta-Match	Mexico	Duraflame, Inc.		683190	1/24/2001
Jumbo Start	Mexico	Duraflame, Inc.		App - 656039	5/13/2004
Open Air	Mexico	Duraflame, Inc.		708009	7/27/2001
Duraflame	Norway	Duraflame, Inc.		118530	9/13/1984
Duraflame	Panama	Duraflame, Inc.		97260	11/13/1998
Duraflame	Saudi Arabia	Duraflame, Inc.		522/25	2/27/2000
Duraflame	Spain	Duraflame, Inc.		1254488	5/5/1989
Duraflame	Sweden	Duraflame, Inc.		263502	1/20/1995
Duraflame	Switzerland	Duraflame, Inc.		P321677	10/7/1982
Duraflame	Turkey	Duraflame, Inc.		203239	8/28/1998
Duraflame	U.K.	Duraflame, Inc.		1342608	4/26/1998
<u>Title</u>	<u>Country</u>	<u>Owner</u>	<u>Serial Number</u>	<u>Registration Number</u>	<u>Filing Date</u>
Duraflame	U.K.	Duraflame, Inc.		2175171	7/3/1998
Anytime	USA	Duraflame, Inc.	75253951	2173962	7/14/1998
Atmosfire	USA	Duraflame, Inc.		App - 76/228380	3/21/2001
Cal Oak	USA	Duraflame, Inc.	74470904	1870971	1/3/1995
Cedarflame	USA	Duraflame, Inc.	73374038	1250132	9/6/1983

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<u>Title</u>	<u>Country</u>	<u>Owner</u>	<u>Serial Number</u>	<u>Registration Number</u>	<u>Date</u>
Cedarflame & Tree Design	USA	Duraflame, Inc.	73460532	1345494	7/2/1985
Celebrite	USA	Duraflame, Inc.		App - 76/304990	8/24/2001
Colorlog	USA	Duraflame, Inc.	76034215	2526304	1/1/2002
Crackleflame	USA	Duraflame, Inc.	75584709	2376077	8/8/2000
Creosolve	USA	Duraflame, Inc.		App - 78/233214	4/2/2003
Duraflame	USA	Duraflame, Inc.	73374067	1338716	6/4/1985
Duraflame	USA	Duraflame, Inc.	75044627	2181012	8/11/1998
Duraflame	USA	Duraflame, Inc.	75857122	2390029	9/26/2000
Duraflame & Flame Design	USA	Duraflame, Inc.	73374002	1330443	4/16/1985
Duraflame & Flame Design	USA	Duraflame, Inc.	75044626	2181011	8/11/1998
Duraflame & Flame Design	USA	Duraflame, Inc.	73695083	1527278	2/28/1989
Duraflame & Rainbow Design	USA	Duraflame, Inc.	73374029	1331575	4/23/1985
Duraflame Hearth Essentials	USA	Duraflame, Inc.	75096082	2162568	6/2/1998
Easytime	USA	Duraflame, Inc.	75252292	2166605	6/16/1998
Firestart	USA	Duraflame, Inc.	74461309	1954020	2/6/1996
Firestart & Flame Design	USA	Duraflame, Inc.	74100058	1663916	11/12/1991
Firetime	USA	Duraflame, Inc.	75252106	2446648	4/24/2001
Flame Design	USA	Duraflame, Inc.	73373999	1315305	1/22/1985
Flue-Renew	USA	Duraflame, Inc.		App - 78/228510	3/21/2003
Fresh Light	USA	Duraflame, Inc.	76214737	2608222	8/13/2002
Insta-Match	USA	Duraflame, Inc.	74649013	2019863	11/26/1996
Ironwood	USA	Duraflame, Inc.	76314535	2573644	5/28/2002
Jumbo Start	USA	Duraflame, Inc.		App - 78/387490	3/19/2004
Open Air	USA	Duraflame, Inc.	76215074	2,626,394	9/24/2002
Quick Start	USA	Duraflame, Inc.	74146459	1777608	6/22/1993
Quickstart & Flame Desing	USA	Duraflame, Inc.	75002180	2122702	12/23/1997

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<u>Title</u>	<u>Country</u>	<u>Owner</u>	<u>Serial Number</u>	<u>Registration Number</u>	<u>Date</u>
Quickstart & Flame Design	USA	Duraflame, Inc.	74046939	1660481	10/15/1991
The Secret of Fire	USA	Duraflame, Inc.	75332288	2180646	8/11/1998
Timber Glow	USA	Duraflame, Inc.	75797087	2628702	10/1/2002
Xtratime	USA	Duraflame, Inc.	75252053	2173955	7/14/1998

II. Grantor may have common law trademark rights in and to the following trade names:

<u>Description</u>	<u>City, State</u>	<u>Trade Name</u>
None.		

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SCHEDULE 2 TO  
TRADEMARK SECURITY AGREEMENT

TRADEMARK LICENSES

None.