

## TRADEMARK ASSIGNMENT

Electronic Version v1.1

Stylesheet Version v1.1

SUBMISSION TYPE:

NEW ASSIGNMENT

NATURE OF CONVEYANCE:

Termination of Security Interest in Trademarks

## CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
Bank of America, N.A., as Agent		05/18/2009	national banking association: UNITED STATES

## RECEIVING PARTY DATA

Name:	Intermatic Incorporated
Street Address:	7777 Win Rd.
City:	Spring Grove
State/Country:	ILLINOIS
Postal Code:	60081
Entity Type:	CORPORATION: DELAWARE

## PROPERTY NUMBERS Total: 12

Property Type	Number	Word Mark
Registration Number:	0816551	MALIBU
Registration Number:	1347582	POLY-STAR
Registration Number:	1947227	FASTLOCK II
Registration Number:	2861632	MALIBU
Registration Number:	3018424	YARDSCAPES
Registration Number:	3203643	SUN CATCHER
Registration Number:	3205656	SUN SEEKER
Registration Number:	3219569	SUN CATCHER
Registration Number:	3424575	MALIBU
Registration Number:	3433382	FAST-PLUG
Registration Number:	3441343	BRIGHTSCAPES
Registration Number:	3617647	MALIBU LIGHTING THE WAY TO OUTDOOR LIVING

## CORRESPONDENCE DATA

900134442

TRADEMARK  
REEL: 003990 FRAME: 0287

OP \$315.00 0816551

Fax Number: (919)416-8328

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Correspondent Name: Moore & Van Allen PLLC

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Address Line 4: Morrisville, NORTH CAROLINA 27560

ATTORNEY DOCKET NUMBER:

017625.4099 JES

NAME OF SUBMITTER:

John E. Slaughter

Signature:

/John E. Slaughter/

Date:

05/20/2009

Total Attachments: 4

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## **TERMINATION OF SECURITY INTEREST IN TRADEMARKS**

This **TERMINATION OF SECURITY INTEREST IN TRADEMARKS**, dated as of May 18, 2009, is made by Bank of America, N.A., as Agent (the "Secured Party").

**WHEREAS**, Intermatic Incorporated (the "Grantor") has granted a security interest in certain personal property to the Secured Party, including without limitation a security interest in certain trademarks, trademark applications, and/or trademark licenses ("Trademarks");

**WHEREAS**, the security interest granted to the Secured Party was recorded at the United States Patent and Trademark Office on June 20, 2008 at Reel 3800 and Frame 0208; and

**WHEREAS**, the Secured Party has agreed to terminate and release its security interest in the Trademarks identified on Schedule A attached hereto.

**NOW, THEREFORE**, for valuable consideration, the Secured Party hereby terminates and releases all mortgages, liens, and security interests granted to the Secured Party by the Grantor in the following Trademarks:

1. the Trademarks identified on Schedule A attached hereto;
2. the goodwill of the business connected with the use of, and symbolized by, each Trademark identified on Schedule A; and
3. the products and proceeds of the Trademarks identified on Schedule A, including, without limitation, any claim by the Grantor against third parties for past, present or future (i) infringement or dilution of any Trademark or (ii) injury to the goodwill associated with any Trademark.

[Signature Page Follows]

**IN WITNESS WHEREOF**, the Secured Party has caused this Termination of Security Interest in Trademarks to be duly executed as of the date first set forth above.

Secured Party:

Bank of America, N.A., as Agent

By: 

Name:

**Michael Brashler**

Title:

Vice President

**TRADEMARK**

**REEL: 003990 FRAME: 0290**

## Schedule A

**Intermatic Corporation  
(Delaware Corporation)**

### U.S. Trademarks

#### Registered Marks



Country	Mark	Reg. No.	Reg. Date
Argentina	MALIBU	2007562	
Benelux	MALIBU	466846	
Bolivia	MALIBU	68370-C	
Brazil	MALIBU	817908730	
Canada	MALIBU	168884	
Chile	MALIBU	705757	
Colombia	MALIBU	161872	
Ecuador	MALIBU	194896	
Finland	MALIBU	123579	
France	MALIBU	1358481	
Germany	MALIBU	1166287	
Great Britain	MALIBU	B1192489	
Japan	MALIBU	2402680	
Mexico	MALIBU	373707	
Panama	MALIBU	75908	
Peru	MALIBU	16994	
Russian Federation	MALIBU	309617	
South Africa	MALIBU	898587	
Switzerland	MALIBU	376036	
US	MALIBU	816551	10/11/66
US	POLY-STAR	1347582	07/09/85
US	FASTLOCK II	1947227	01/09/96
US	MALIBU	2861632	07/06/04
US	YARDSCAPES	3018424	11/22/05
US	SUN CATCHER	3203643	01/30/07
US	SUN SEEKER	3205656	02/06/07
US	SUN CATCHER and Design	3219569	03/20/07
US	MALIBU and Design	3424575	05/06/08

Country	Mark	Reg. No.	Reg. Date
US	FAST-PLUG	3433382	05/20/08
US	BRIGHTSCAPES	3441343	06/03/08
US	MALIBU LIGHTING THE WAY TO OUTDOOR LIVING and Design	3617647	05/05/09
Uruguay	MALIBU (Stylized)	275049	
Venezuela	MALIBU	183181	

### **Pending Applications**

Country	Mark	Appl. No.	Filing Date
CTM	MALIBU	3958493	
Egypt	MALIBU	213507	
Puerto Rico	MALIBU		