# TRADEMARK ASSIGNMENT

## Electronic Version v1.1 Stylesheet Version v1.1

**SUBMISSION TYPE: NEW ASSIGNMENT** NATURE OF CONVEYANCE: SECURITY INTEREST

#### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Hy-Bon Engineering Company, Inc.		06/30/2009	CORPORATION: DELAWARE

#### **RECEIVING PARTY DATA**

Name:	M&I Marshall & Ilsley Bank	
Street Address:	770 North Water Street	
City:	Milwaukee	
State/Country:	WISCONSIN	
Postal Code:	53202	
Entity Type:	banking corporation: WISCONSIN	

### PROPERTY NUMBERS Total: 1

Property Type	Number	Word Mark
Registration Number:	1000215	HY-BON

#### **CORRESPONDENCE DATA**

Fax Number: (414)978-8675

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

Phone: 414.277.5675

Email: marta.levine@quarles.com

Correspondent Name: Marta S. Levine Address Line 1: Quarles & Brady LLP

Address Line 2: 411 East Wisconsin Avenue

Address Line 4: Milwaukee, WISCONSIN 53202

ATTORNEY DOCKET NUMBER: 630027.00231 NAME OF SUBMITTER: Marta S. Levine Signature: /MartaLevine/

07/08/2009

TRADEMARK

REEL: 004018 FRAME: 0429

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Date:

## Total Attachments: 5

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# CONFIRMATORY ASSIGNMENT OF SECURITY INTEREST IN UNITED STATES PATENTS, TRADEMARKS, AND COPYRIGHTS

THIS CONFIRMATORY ASSIGNMENT OF SECURITY INTEREST IN UNITED STATES PATENTS, TRADEMARKS, AND COPYRIGHTS (the "Confirmatory Assignment") is made effective as of June 30, 2009, by and from HY-BON ENGINEERING COMPANY, INC. (the "Assignor"), a Delaware corporation, whose principal address is 300 North LaSalle Street, Suite 5400, Chicago, Illinois 60654, to and in favor of M&I MARSHALL & ILSLEY BANK, a Wisconsin banking corporation, whose principal address is 770 North Water Street, Milwaukee, Wisconsin 53202, as agent (the "Assignee") for the lenders (the "Lenders") from time to time parties to that certain Loan Agreement dated as of the date hereof by and among Hy-Bon Engineering Company, Inc., a Delaware corporation (the "Borrower"), Assignee and the Lenders, as amended or amended and restated from time to time.

WHEREAS, Assignor and Assignee have entered into a Security Agreement of even date herewith (as amended or amended and restated from time to time, the "Security Agreement") pursuant to which Assignor has granted Assignee, for the benefit of the Lenders, a security interest in all of Assignor's personal property and assets;

WHEREAS, Assignor is the owner of the patents (the "Patents"), the trademarks and the goodwill of the business in connection therewith (the "Trademarks"), and the copyrights (the "Copyrights"), all listed on Exhibit A attached hereto, which Patents are issued or pending with the United States Patent and Trademark Office; which Trademarks are registered or pending registration with the United States Patent and Trademark Office; and which Copyrights are registered or pending with the United States Copyright Office.

WHEREAS, this Confirmatory Assignment has been granted in conjunction with the security interest granted to Assignee under the Security Agreement;

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, it is hereby agreed that:

1) <u>Definitions</u>. All capitalized terms not defined herein shall have the respective meaning given to them in the Security Agreement.

## 2) The Security Interest.

- (a) This Confirmatory Assignment is made to secure the satisfactory performance and payment of all the Obligations of Assignor, pursuant to the Security Agreement. Upon the payment in full of all Obligations, Assignee shall, upon such satisfaction, execute, acknowledge, and deliver to Assignor an instrument in writing releasing the security interest in the Patents, Trademarks, and Copyrights acquired under this Confirmatory Assignment.
- (b) The Assignor hereby assigns and grants to Assignee, for the benefit of the Lenders, a security interest in (1) all of Assignor's right, title and interest in and to

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the Patents, Trademarks, and Copyrights set forth on Exhibit A, now owned or from time to time after the date hereof owned or acquired by the Assignor, together with (2) all proceeds and products of the Patents, Trademarks, and Copyrights, and (3) all causes of action arising prior to or after the date hereof for infringement of any of the Patents, Trademarks, or Copyrights, or unfair competition regarding the same.

(c) The rights and remedies of Assignee and the Lenders with respect to the security interest granted herein are without prejudice to and are in addition to those set forth in the Security Agreement, all terms and provisions of which are incorporated herein by reference. In the event that any provisions of this Confirmatory Assignment are deemed to conflict with the Security Agreement, the provisions of the Security Agreement shall govern.

(Signature Pages Follow)

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IN WITNESS WHEREOF, the Assignor has executed this Confirmatory Assignment effective as of the above-indicated date.

HY-BON ENGINEERING COMPANY, INC.

Name: Scott A. Finegan

Title: Assistant Secretary

Signature Page to Confirmatory Assignment of Security Interest in United States Patents and Trademarks

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		C., personally came before me this \(\frac{\gamma}{\gamma}\) day of
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INC. and pursuant		
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Notary Page to Confirmatory Assignment of Security Interest in United States Copyrights

## CONFIRMATORY ASSIGNMENT OF SECURITY INTEREST IN UNITED STATES PATENTS, TRADEMARKS, AND COPYRIGHTS

## Exhibit A - SCHEDULE OF PATENTS, TRADEMARKS, AND COPYRIGHTS

# <u>Trademark</u>:

MARK (LOGO)	REG. NO.	REG. DATE	STATUS
HY-BON	1000215	12/24/74	Renewed (Registered)

Patent: None.

Copyrights: None.

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**RECORDED: 07/08/2009**