

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
Banfe Soil & Mulch, Inc.		09/28/2009	CORPORATION: NEW JERSEY
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	Banfe Materials, LLC		
<b>Street Address:</b>	1 Caven Point Avenue		
<b>City:</b>	Jersey City		
<b>State/Country:</b>	NEW JERSEY		
<b>Postal Code:</b>	07305		
<b>Entity Type:</b>	LIMITED LIABILITY COMPANY: NEW JERSEY		
<b>PROPERTY NUMBERS Total: 2</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Serial Number:</b>	75135123	SOIL KING	
<b>Serial Number:</b>	78144114	ICBIN	
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>	(302)576-3329		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
<b>Phone:</b>	3025715004		
<b>Email:</b>	trademarks@ycst.com		
<b>Correspondent Name:</b>	Sara Beth A.R. Kohut		
<b>Address Line 1:</b>	1000 West Street		
<b>Address Line 2:</b>	Brandywine Bldg, 17th Floor		
<b>Address Line 4:</b>	Wilmington, DELAWARE 19801		
<b>ATTORNEY DOCKET NUMBER:</b>	065086.1002 COASTAL		
<b>NAME OF SUBMITTER:</b>	Sara Beth A.R. Kohut		
<b>Signature:</b>	/sara beth a.r. kohut/		

OP \$65.00 75135123

**TRADEMARK**

Date:

12/14/2009

Total Attachments: 2

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## ASSIGNMENT OF TRADEMARKS

ASSIGNMENT OF TRADEMARKS made as of the 28<sup>th</sup> day of September, 2009, by Banfe Soil & Mulch, Inc., a New Jersey corporation ("Assignor"), to Banfe Materials, LLC, a New Jersey limited liability company ("Assignee").

### RECITALS

A. Assignee and Assignor are parties to an Asset Purchase Agreement dated as of July 16, 2006 (the "Purchase Agreement"), pursuant to which Assignor sold to Assignee and Assignee bought from Assignor the Purchased Assets (as defined in the Agreement), including without limitation the servicemarks, trademarks and trade names of Assignor.

B. The assignment of two trademarks designated as "Soil King" (Serial # 75135123) and as "ICBIN" (Serial # 78144114) (both of the foregoing being referred to herein as the "Marks") have not been recorded in the United States Patent and Trademark Office.

NOW, THEREFORE, Assignor, as provided in the Purchase Agreement, does hereby transfer and assign to Assignee, and Assignee hereby accepts the transfer and assignment of, all of Assignor's worldwide right, title and interest in, to and under the Marks, together with the goodwill of the business associated therewith and which is symbolized thereby, all rights to sue for infringement of any Mark, whether arising prior to or subsequent to the date of this Assignment of Trademarks, any and all copyright subsisting in the subject matter of the Marks, including any design or word components, and any and all renewals and extensions thereof that may hereafter be secured under the laws now or hereafter in effect in the United States, Canada and in any other jurisdiction, the same to be held and enjoyed by the said Assignee, its successors and assigns from and after the date hereof as fully and entirely as the same would have been held and enjoyed by the said Assignor had this Assignment of Trademarks not been made.

The transfer hereunder is subject to the imposition of a security interest in favor of Assignor to secure its Notes as described in the Purchase Agreement until payment in full of such Notes.

Except to the extent that federal law preempts state law with respect to the matters covered hereby, this Assignment of Trademarks shall be governed by and construed in accordance with the laws of the State of New Jersey without giving effect to the principles of conflicts of laws thereof.

*[Signatures Follow]*



IN WITNESS WHEREOF, Assignor has caused its duly authorized officer to execute this Assignment of Trademarks as of the date first above written.

BANFE SOIL & MULCH, INC.

By: Sharon M Banfe

Name: SHARON M. BANFE

Title: PRESIDENT

State of New Jersey )

County of Burlington ) ss.:

On this 28<sup>th</sup> day of September, 2009, before me, Rita Bohus personally appeared Sharon Banfe, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal.

Rita D Bohus  
Notary Public

Rita D. Bohus  
Notary Public of New Jersey  
My Commission Expires September 8, 2014