

05/02/2012

U.S. DEPARTMENT OF COMMERCE
United States Patent and Trademark Office



103644008

To the Director of the U. S. Patent a

documents or the new address(es) below.

1. Name of conveying party(ies):

Bank of America, N.A., as Administrative Agent

- ☐ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☐ Corporation- State: _____
☒ Other National Banking Association

Citizenship (see guidelines) US

Additional names of conveying parties attached? ☐ Yes ☒ No

3. Nature of conveyance)/Execution Date(s) :

Execution Date(s) April 16, 2012

- ☐ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☒ Other Partial Release

2. Name and address of receiving party(ies)

Additional names, addresses, or citizenship attached? ☒ Yes ☐ No

Name: Texas Industries, Inc.

Internal

Address: _____

Street Address: 1341 West Mockingbird Lane, 7th Floor

City: Dallas

State: Texas

Country: USA

Zip: 75247

- ☐ Association Citizenship _____
☐ General Partnership Citizenship _____
☐ Limited Partnership Citizenship _____
☒ Corporation Citizenship Delaware
☐ Other _____ Citizenship _____

If assignee is not domiciled in the United States, a domestic representative designation is attached: ☐ Yes ☐ No
(Designations must be a separate document from assignment)

4. Application number(s) or registration number(s) and identification or description of the Trademark.

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

3335021; 0637032; 3182061; and 2330168

Additional sheet(s) attached? ☐ Yes ☒ No

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):

5. Name & address of party to whom correspondence concerning document should be mailed:

Name: Julie H. Cooper

Internal Address: c/o Vinson & Elkins LLP

Street Address: 2001 Ross Avenue, Suite 3700

City: Dallas

State: Texas

Zip: 75201

Phone Number: 214-220-7919

Fax Number: 214-999-7919

Email Address: jucooper@velaw.com

6. Total number of applications and registrations involved:

4

7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ 115.00

- ☐ Authorized to be charged to deposit account
☒ Enclosed

8. Payment Information:

Deposit Account Number 00000023 3335021

Authorized User Name 02 FC:8522

40.00 OP
75.00 OP

9. Signature:

Signature

4/27/2012

Date

Julie H. Cooper

Name of Person Signing

Total number of pages including cover sheet, attachments, and document: 4

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

TRADEMARK
REEL: 004778 FRAME: 0720

2. Name and address of additional receiving parties

TXI Operations, LP
1341 West Mockingbird Lane, 7th Floor
Dallas, Texas 75247
Delaware corporation

TXI Operating Trust
1341 West Mockingbird Lane, 7th Floor
Dallas, Texas 75247
Delaware corporation

PARTIAL RELEASE OF SECURITY INTEREST IN TRADEMARKS

This PARTIAL RELEASE OF SECURITY INTEREST IN TRADEMARKS, dated as of April 16, 2012, is made by **BANK OF AMERICA, N.A.**, as Administrative Agent and Lead Collateral Agent ("**Administrative Agent**").

WHEREAS, Administrative Agent and **TEXAS INDUSTRIES, INC., TXI OPERATIONS, LP** and **TXI OPERATING TRUST** (collectively, "**Grantors**"), are parties to that certain (a) Trademark Security Agreement dated November 21, 2008, recorded on November 24, 2008, in the United States Patent and Trademark Office commencing at Reel No. 003892, Frame No. 0804 and/or (b) Trademark Security Agreement dated June 19, 2009, recorded on July 7, 2009, in the United States Patent and Trademark Office commencing at Reel No. 004021, Frame No. 0300 (collectively, the "**Agreements**"), whereby Grantors granted to Administrative Agent a security interest in and to the trademarks, trademark registrations and pending applications for registration (the "**Trademarks**") of Grantors, as identified and/or described in the Agreements; and

WHEREAS, Administrative Agent now desires to release its security interest granted in the Agreements in the Trademarks identified and/or described in the Annex attached hereto (the "**Released Trademarks**") in connection with Grantors' sale of such Released Trademarks.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Administrative Agent hereby reassigns to Grantors all of its right, title and interest in and to the Released Trademarks and to the extent that the Agreements created a security interest in such Released Trademarks, Administrative Agent hereby releases such security interest.

BANK OF AMERICA, N.A., as Administrative Agent

By: James B. Allin
Name: James B. Allin
Title: Senior Vice President

ANNEX

RELEASED TRADEMARKS

<u>OWNER</u>	<u>REGISTRATION NUMBER</u>	<u>TRADEMARK</u>
Texas Industries, Inc.	3335021	EZY-BOND
Texas Industries, Inc.	0637032	EZY-MIX
TXI Operations, LP TXI Operating Trust	3182061	HOME PROJECT MIX
TXI Operations, LP	2330168	MAXIMIZER