

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM460581

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	Correction of Assignment		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
Western Building Products, Inc.		12/14/2007	Limited Liability Company: DELAWARE
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	Western Building Products, Inc.		
<b>Street Address:</b>	1300 North Glenview Place		
<b>City:</b>	Milwaukee		
<b>State/Country:</b>	WISCONSIN		
<b>Postal Code:</b>	53213		
<b>Entity Type:</b>	Corporation: WISCONSIN		
<b>PROPERTY NUMBERS Total: 1</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Registration Number:</b>	1090044	WESTERN	
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>	2627831211		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>			
<b>Email:</b>	rkmip@rkmiplaw.com		
<b>Correspondent Name:</b>	John M. Manion		
<b>Address Line 1:</b>	Ryan Kromholz & Manion, S.C.		
<b>Address Line 2:</b>	PO Box 26618		
<b>Address Line 4:</b>	Milwaukee, WISCONSIN 53226-0618		
<b>NAME OF SUBMITTER:</b>	Barbara J. Mueller		
<b>SIGNATURE:</b>	/Barbara J. Mueller/		
<b>DATE SIGNED:</b>	02/02/2018		
<b>Total Attachments: 16</b>			
source=Explanation of correction#page1.tif			
source=Exhibit 1 - assignment-tm-3667-0424#page1.tif			
source=Exhibit 1 - assignment-tm-3667-0424#page2.tif			
source=Exhibit 1 - assignment-tm-3667-0424#page3.tif			
source=Exhibit 1 - assignment-tm-3667-0424#page4.tif			

OP \$40.00 1090044

source=Exhibit 2 - assignment-tm-3688-0284#page1.tif  
source=Exhibit 2 - assignment-tm-3688-0284#page2.tif  
source=Exhibit 2 - assignment-tm-3688-0284#page3.tif  
source=Exhibit 2 - assignment-tm-3688-0284#page4.tif  
source=Exhibit 2 - assignment-tm-3688-0284#page5.tif  
source=Exhibit 2 - assignment-tm-3688-0284#page6.tif  
source=Exhibit 2 - assignment-tm-3688-0284#page7.tif  
source=Exhibit 2 - assignment-tm-3688-0284#page8.tif  
source=Exhibit 2 - assignment-tm-3688-0284#page9.tif  
source=Exhibit 2 - assignment-tm-3688-0284#page10.tif  
source=Exhibit 2 - assignment-tm-3688-0284#page11.tif

Explanation of Correction:

The correct owner of the WESTERN trademark registration, U.S. Registration No. 1,090,444 is Western Building Products, Inc., a Wisconsin corporation.

Two assignments were mistakenly filed against the subject registration in 2005. The first mistaken assignment transferred ownership of the mark from Western Building Products, Inc. to Builders Firstsource – Ohio Valley, Inc. The second mistaken assignment transferred ownership of the mark to Builders Firstsource – Ohio Valley, LLC. These errors were corrected during the trademark's 2008 renewal. Please see the attached assignment recorded at Reel 3667 Frame 0424 (Exhibit 1).

A security interest, recorded while the mark was mistakenly assigned to Builders FirstSource – Ohio Valley, LLC, was then released back to Builders FirstSource – Ohio Valley, LLC. It was recorded on December 27, 2007 at Reel 003688 Frame 0284 after the above correction was made (see Exhibit 2).

When recorded, the owner then was correctly listed on TSDR as Western Building Products, Inc., but as a Delaware Limited Liability Company. This is not correct. The owner is a Wisconsin corporation. This Assignment is being filed to correct this error.

**TRADEMARK ASSIGNMENT**

Exhibit 1  
Page 1 of 4

Electronic Version v1.1  
Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	Affidavit to Confirm the True & Correct Owner of U.S. Reg. No. 1090044 is Western Building Products, Inc., a Wisconsin corporation

**CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Builders FirstSource -- Ohio Valley, LLC	FORMERLY Builders FirstSource - Western Building Products, Inc., a Delaware corporation	11/16/2007	LIMITED LIABILITY COMPANY: DELAWARE

**RECEIVING PARTY DATA**

Name:	Western Building Products, Inc.
Street Address:	1300 North Glenview Place
City:	Milwaukee
State/Country:	WISCONSIN
Postal Code:	53213
Entity Type:	CORPORATION: WISCONSIN

**PROPERTY NUMBERS Total: 1**

Property Type	Number	Word Mark
Registration Number:	1090044	WESTERN

**CORRESPONDENCE DATA**

Fax Number: (714)755-8290  
*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*  
 Phone: 714-540-1235  
 Email: ipdocket@lw.com  
 Correspondent Name: Latham & Watkins LLP  
 Address Line 1: 650 Town Center Drive, Suite 2000  
 Address Line 4: Costa Mesa, CALIFORNIA 92626

ATTORNEY DOCKET NUMBER:	038266-0012
NAME OF SUBMITTER:	Anna T Kwan
Signature:	/Anna T Kwan/

OP \$40.00 1090044

Date:

11/27/2007

~~Exhibit 1~~

Page 2 of 4

Total Attachments: 2

source=Affidavit to correct title#page1.tif

source=Affidavit to correct title#page2.tif

**AFFIDAVIT TO CONFIRM THE TRUE AND CORRECT OWNER OF  
U.S. FEDERAL REGISTRATION NO. 1,090,044 FOR THE MARK WESTERN IS  
WESTERN BUILDING PRODUCTS, INC., A WISCONSIN CORPORATION**

I, Jeffrey A. Wier, do hereby declare as follows:

1. I am Vice President of Builders FirstSource – Ohio Valley, LLC, a Delaware limited liability company, located at 2001 Bryan Street, Suite 1600, Dallas, Texas 75201. I have personal knowledge of the facts stated herein and, if called as a witness, could and would testify competently to the matters set forth below.

2. The following documents were all recorded in error with the U.S. Patent and Trademark Office Assignment Division:

a. The Change of Name from Western Building Products, Inc., a Delaware corporation to Builders FirstSource – Ohio Valley, Inc. recorded on February 9, 2005 at Reel/Frame: 3025/0848;

b. The conversion document from Builders FirstSource – Ohio Valley, Inc. to Builders FirstSource – Ohio Valley, LLC recorded on February 9, 2005 at Reel/Frame: 3026/0015;

c. The Security Interest from Builders FirstSource – Ohio Valley, LLC to UBS AG recorded on February 16, 2005 at Reel/Frame: 3030/0771; and

d. The Security Interest from Builders FirstSource – Ohio Valley, LLC to UBS AG recorded on February 17, 2005 at Reel/Frame: 3032/0318

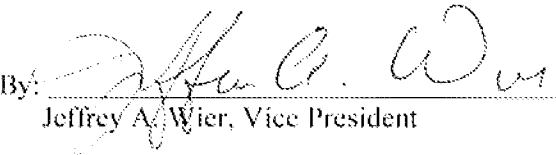
3. Western Building Products, Inc., a Delaware corporation, is not affiliated with Western Building Products, Inc., a Wisconsin corporation.

4. The true and correct owner of U.S. Federal Registration No. 1,090,044 for the mark **WESTERN** is Western Building Products, Inc., a Wisconsin corporation.

The undersigned, being hereby advised that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that the facts set forth in this application are true; all statements made of his own knowledge are true; and all statements made on information and belief are believed to be true.

Builders FirstSource – Ohio Valley, LLC

Dated: November 16, 2007

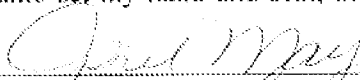
By:   
Jeffrey A. Wier, Vice President

STATE OF TEXAS                    )  
                                          ) ss;  
COUNTY OF DALLAS                )

CERTIFICATE OF ACKNOWLEDGEMENT

I, April May, a Notary Public, in and for the County and State aforesaid, do hereby certify that Jeffrey A. Wier, known to me to be Vice President of Builders FirstSource – Ohio Valley, LLC, appeared before me this day, in person, and acknowledged that he signed, sealed and delivered the foregoing instrument as his free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 16<sup>th</sup> day of November, 2007.

  
\_\_\_\_\_  
Notary Public, State of Texas



APRIL MAY  
Notary Public -State of Texas  
My Commission Expires  
July 1, 2011

Exhibit 2  
Page 1 of 11

Form PTO-1594 (Rev. 06/04)  
OMB Collection 0851-0027 (ex p. 8/30/2005)

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

RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

To the director of the U. S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies)/Execution Date(s):

UBS AG, STAMFORD BRANCH, as Collateral Trustee

- Individual(s)
- General Partnership
- Corporation-State
- Other: Banking Institution
- Association
- Limited Partnership

Citizenship (see guidelines) None  
Execution Date(s) 12/14/2007

Additional names of conveying parties attached?  Yes  No

2. Name and address of receiving party(ies)

Additional names, addresses, or citizenship attached?  Yes  No

Name: Builders FirstSource - Ohio Valley, LLC

Internal Address: \_\_\_\_\_

Street Address: 7600 Colerain Avenue

City: Cincinnati

State: Ohio

Country: USA

Zip: 45239

- Association Citizenship \_\_\_\_\_
- General Partnership Citizenship \_\_\_\_\_
- Limited Partnership Citizenship \_\_\_\_\_
- Corporation Citizenship \_\_\_\_\_
- Other LLC  Citizenship DELAWARE

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)

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other Release of Trademark Security Interest (First Lien) recorded 2/16/05 at Reel/Frame 003030/0771
- Merger
- Change of Name

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

A. Trademark Application No.(s) N/A

B. Trademark Registration No.(s) 1090044

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: Susan O'Brien

Internal Address: UCC Direct Services, a Walters Kluwer Co.

Street Address: 187 Wolf Road - Suite 101

City: Albany

State: NY

Zip: 12205

Phone Number: 800-342-3676 X4065

Fax Number: 800-962-7049

Email Address: sls-uds@albany@walterskluwer.com

6. Total number of applications and registrations involved:

1

7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$40.00

- Authorized to be charged by credit card
- Authorized to be charged to deposit account
- Enclosed

8. Payment Information:

a. Credit Card Last 4 Numbers 51083  
Expiration Date 11/09

b. Deposit Account Number \_\_\_\_\_  
Authorized User Name: \_\_\_\_\_

9. Signature:

Helen M. Linehan  
Signature

12/17/07  
Date

Helen M. Linehan  
Name of Person Signing

Total number of pages including cover sheet, attachments, and document. 14

Documents to be recorded (including cover sheet) should be faxed to (703) 308-6995, or mailed to: Mail Stop Assignment/Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

OP \$40.00 1090044



Exhibit 2  
Page 2 of 11

### RELEASE OF TRADEMARK SECURITY INTEREST (FIRST LIEN)

This **RELEASE OF TRADEMARK SECURITY INTEREST (FIRST LIEN)** (this "Release") dated as of December 14, 2007 hereby terminates and releases, without recourse, representation or warranty, all of the undersigned's interests including all security interests in and liens on the Pledged Collateral (as defined in the "Trademark Security Agreement", as defined below), including but not limited to the trademarks set forth on Exhibit A (together with the Goodwill associated with such trademarks, and in all registrations or applications for registration thereof) and all Proceeds of any and all of the foregoing (other than Excluded Property) (collectively, the "Trademark Collateral") created under that certain **TRADEMARK SECURITY AGREEMENT**, dated as of February 11, 2005 (the "Trademark Security Agreement"), entered into by BUILDERS FIRSTSOURCE, INC., a Delaware corporation, BUILDERS FIRSTSOURCE - INTELLECTUAL PROPERTY, L.P., a Texas limited partnership, BUILDERS FIRSTSOURCE - ATLANTIC GROUP, INC., a Delaware corporation, BUILDERS FIRSTSOURCE - OHIO VALLEY, LLC, a Delaware limited liability company, BUILDERS FIRSTSOURCE - SOUTHEAST GROUP, LLC, a Delaware limited liability company, and BUILDERS FIRSTSOURCE - SOUTH TEXAS, L.P., a Texas limited partnership (collectively, "the Pledgors" and each a "Pledgor") and UBS AG, STAMFORD BRANCH, as Collateral Trustee, as recorded in the U.S. Patent and Trademark Office on February 16, 2005 at Reel/Frame number 003030/0771, a copy of which is attached as Exhibit B, and the undersigned hereby acknowledges and agrees that it has no further interests in such Trademark Collateral and that such Trademark Security Agreement is terminated and of no further force and effect.

[remainder of page intentionally blank]

Builders FirstSource - Ohio Valley, LLC

LA\1806293.3

TRADEMARK  
REEL: 009687 FRAME: 0442  
0285

IN WITNESS WHEREOF, the undersigned has caused this release to be duly  
excuted and delivered as of the date first written above.

**UBS AG, STAMFORD BRANCH,**  
as Collateral Trustee

By:   
Name: Richard L. Tavrow  
Its: Director

By:   
Name: Irja K. Otsa  
Its: Associate Director

Signature page to Trademark Security Interest Release  
(Ohio Valley)

**EXHIBIT A**

**TRADEMARK COLLATERAL**

MARK	REGISTRATION NO.
WESTERN	1090044

LA18062913

Exhibit 2  
Page 5 of 11

**EXHIBIT B**

Reel/Frame number 003030/0771

*(see attached)*

LAM1806293.3

**TRADEMARK**  
**REEL: 006668 FRAME: 0268**

**Trademark Security Agreement**

Trademark Security Agreement, dated as of February 11, 2005, by BUILDERS FIRSTSOURCE, INC., a Delaware corporation, with chief executive offices at 2001 Bryan Street, Suite 1600, Dallas, TX 75201, BUILDERS FIRSTSOURCE-INTELLECTUAL PROPERTY, L.P., a Texas limited partnership, with chief executive offices at 2001 Bryan Street, Suite 1600, Dallas, TX 75201, BUILDERS FIRSTSOURCE - ATLANTIC GROUP, INC., a Delaware corporation, with chief executive offices at 5330 Spectrum Drive, Suite L, Frederick, MD 21703, BUILDERS FIRSTSOURCE - OHIO VALLEY, LLC, a Delaware limited liability company, with chief executive offices at 7600 Colerain Ave., Cincinnati, OH 45239, BUILDERS FIRSTSOURCE - SOUTHEAST GROUP, LLC, a Delaware limited liability company, with chief executive offices at 2451 Highway 501 East, Conway, SC 29526, and BUILDERS FIRSTSOURCE - SOUTH TEXAS, L.P., a Texas limited partnership, with chief executive offices at 6305 Camp Bullis Rd., San Antonio, TX 78257 (collectively, the "Pledgors" and each, a "Pledgor") in favor of UBS AG, STAMFORD BRANCH, in its capacity as Collateral Trustee (in such capacity, the "Collateral Trustee") pursuant to the Credit Agreement.

**WITNESSETH:**

WHEREAS, Pledgors are party to a Pledge and Security Agreement of even date herewith (the "Security Agreement") in favor of the Collateral Trustee pursuant to which the Pledgors are required to execute and deliver this Trademark Security Agreement;

NOW, THEREFORE, in consideration of the premises and to induce the Collateral Trustee, for the benefit of the Secured Parties, to enter into the Credit Agreement, each Pledgor hereby agrees with the Collateral Trustee as follows:

**SECTION 1. Defined Terms.** Unless otherwise defined herein, terms defined in the Security Agreement and used herein have the meaning given to them in the Security Agreement.

**SECTION 2. Grant of Security Interest in Trademark Collateral.** As collateral security for the payment and performance in full of the Obligations, each Pledgor hereby pledges and grants to the Collateral Trustee for the benefit of the Secured Parties a lien on and security interest in and to all of its right, title and interest in, to and under all the following Pledged Collateral of such Pledgor:

- (a) Trademarks of such Pledgor listed on Schedule I attached hereto;
- (b) all Goodwill associated with such Trademarks (other than Excluded Property); and

Trademark Security Agreement - First Lien

**TRADEMARK  
REEL: 003030 FRAME: 0773**

**TRADEMARK  
REEL: 006267 FRAME: 0446  
REEL: 003688 FRAME: 0289**

-2-

(c) all Proceeds of any and all of the foregoing (other than Excluded Property).

**SECTION 3. Security Agreement.** The security interest granted pursuant to this Trademark Security Agreement is granted in conjunction with the security interests granted to the Collateral Trustee pursuant to the Security Agreement and each Pledgor hereby acknowledges and affirms that the rights and remedies of the Collateral Trustee with respect to the security interest in the Trademarks made and granted hereby are more fully set forth in the Security Agreement, the terms and provisions of which are incorporated by reference herein as if fully set forth herein. In the event that any provision of this Trademark Security Agreement is deemed to conflict with the Security Agreement, the provisions of the Security Agreement shall control unless the Collateral Trustee shall otherwise determine.

**SECTION 4. Termination.** Upon the payment and performance in full of the Obligations, the Collateral Trustee shall execute, acknowledge, and deliver to the Pledgors an instrument in writing in recordable form releasing the pledge, grant, lien and security interest in the Trademarks under this Trademark Security Agreement.

[signature page follows]

Trademark Security Agreement - First Lien

**TRADEMARK**  
REEL: 003030 FRAME: 0774

**TRADEMARK**  
REEL: 006267 FRAME: 0447  
REEL: 003688 FRAME: 0280

-3-

IN WITNESS WHEREOF, the Pledgor has caused this Trademark Security Agreement to be executed and delivered by its duly authorized officer as of the date first set forth above.

Very truly yours,

BUILDERS FIRSTSOURCE, INC.

By: Donald F. McAleenan

Name: Donald F. McAleenan  
Title: Senior Vice President

BUILDERS FIRSTSOURCE-INTELLECTUAL  
PROPERTY, L.P.

By: Donald F. McAleenan

Name: Donald F. McAleenan  
Title: Senior Vice President

BUILDERS FIRSTSOURCE - ATLANTIC  
GROUP, INC.

By: Donald F. McAleenan

Name: Donald F. McAleenan  
Title: Senior Vice President

BUILDERS FIRSTSOURCE - OHIO VALLEY,  
LLC

By: Donald F. McAleenan

Name: Donald F. McAleenan  
Title: Senior Vice President

Trademark Security Agreement - First Lien

TRADEMARK  
REEL: 003030 FRAME: 0775

TRADEMARK  
TRADEMARK  
REEL: 006267 FRAME: 0448  
REEL: 003688 FRAME: 0204

-4-

BUILDERS FIRSTSOURCE - SOUTHEAST  
GROUP, LLC

By: Donald F. McAlcman

Name: Donald F. McAlcman  
Title: Senior Vice President

BUILDERS FIRSTSOURCE - SOUTH TEXAS,  
L.P.

By: Donald F. McAlcman

Name: Donald F. McAlcman  
Title: Senior Vice President

Trademark Security Agreement - First Lien

TRADEMARK  
REEL: 003030 FRAME: 0776

TRADEMARK  
TRADEMARK  
REEL: 006267 FRAME: 0449  
REEL: 003688 FRAME: 0202



FEB-10-2005 17:10 FROM:UBS

2037193092

TO:Latham Watkins

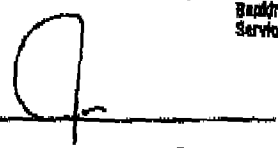
P.5/20

Accepted and Agreed:

UBS AG, STAMFORD BRANCH,  
as Collateral Trustee



By: \_\_\_\_\_  
Name: Wilfred V. Saint  
Title: Director  
Banking Products  
Services, US



By: \_\_\_\_\_  
Name: Josefin Fernandes  
Title: Associate Director  
Banking Products  
Services, US

Trademark Security Agreement First Lien

TRADEMARK  
REEL: 003030 FRAME: 0777

TRADEMARK  
TRADEMARK  
REEL: 006267 FRAME: 0450  
REEL: 003688 FRAME: 0202

**SCHEDULE I**  
to  
**TRADEMARK SECURITY AGREEMENT**  
**TRADEMARK REGISTRATIONS AND TRADEMARK APPLICATIONS**

**Trademark Registrations:**

OWNER	REGISTRATION NUMBER	TRADEMARK
Builders FirstSource- Intellectual Property, L.P.	751756,802	BUILDERS FIRSTSOURCE
Builders FirstSource- Intellectual Property, L.P.	751771,476	BUILDERS FIRSTSOURCE and Design
Builders First Source, Inc., a Texas company	78492971 (ITU)	SPECTRUM
Builders FirstSource, Inc., a Delaware company	76583633	BF-I

**Trademark Applications:**

OWNER	REGISTRATION NUMBER	TRADEMARK
Builders FirstSource Atlantic Group, Inc.	2,885,752	SYNBOARD
Builders FirstSource -- Ohio Valley, LLC	1,090,044	WESTERN
Builders FirstSource -- Southeast Group, LLC	1,456,941	PELICAN BUILDINGS CENTER and Design
Builders FirstSource -- Southeast Group, LLC	1,246,651	BUILD RIGHT and Design
Builders FirstSource -- Southeast Group, LLC	1,284,703	BUILDER WAY
Builders FirstSource -- Southeast Group, LLC	1,284,702	Design Mark
Builders FirstSource -- South Texas, L.P.	2,536,989 as of 2/5/2002	COOLPANE

Trademark Security Agreement -- First Lien  
LAN3915201

RECORDED: 02/16/2005

TRADEMARK  
REEL: 003030 FRAME: 0778

RECORDED: 12/27/2007  
RECORDED: 02/02/2018

TRADEMARK  
REEL: 006267 FRAME: 0451  
REEL: 003688 FRAME: 0281