TRADEMARK ASSIGNMENT

Electronic Version v1.1 Stylesheet Version v1.1

SUBMISSION TYPE: **NEW ASSIGNMENT**

NATURE OF CONVEYANCE: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

CONVEYING PARTY DATA

| Name | Formerly | Execution Date | Entity Type |
|---|----------|----------------|--|
| Promontory Capital Group LBM, L.L.C. | | 106/29/2004 | Limited Liability Company: DELAWARE |

RECEIVING PARTY DATA

| Name: | Promontory Mark, L.L.C. | |
|-----------------|---|--|
| Street Address: | 1201 Pennsylvania Avenue, NW, Suite 617 | |
| City: | Washington | |
| State/Country: | DISTRICT OF COLUMBIA | |
| Postal Code: | 20004 | |
| Entity Type: | : Limited Liability Company: DELAWARE | |

PROPERTY NUMBERS Total: 1

| | Property Type | Number | Word Mark |
|---|---------------|----------|--------------------------|
| s | erial Number: | 78010547 | PROMONTORY CAPITAL GROUP |

CORRESPONDENCE DATA

Fax Number: (212)492-0413

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

Phone: 212-373-3413

dgoldstein@paulweiss.com Email:

Correspondent Name: Doron S. Goldstein

Address Line 1: 1285 Avenue of the Americas

Address Line 2: Paul, Weiss, Rifkind, Wharton & Garrison

Address Line 4: New York, NEW YORK 10003

ATTORNEY DOCKET NUMBER: 14076-005

NAME OF SUBMITTER: Doron S. Goldstein

Total Attachments: 2

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TRADEMARK 900010769 **REEL: 002900 FRAME: 0813**

TRADEMARK ASSIGNMENT

TRADEMARK ASSIGNMENT dated as of June 29, 2004, made by Promontory Capital Group LBM, L.L.C., a Delaware limited liability company ("<u>Assignor</u>"), in favor of Promontory Mark, L.L.C., a Delaware limited liability company ("<u>Assignee</u>").

WHEREAS Assignor is the applicant of the service mark applications listed on Schedule 1 attached hereto (the "Marks").

WHEREAS Assignee desires to acquire the Marks and any and all goodwill associated with the Marks;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby sells, transfers, assigns, and otherwise conveys to Assignee, all of Assignor's right, title, and interest in and to the following:

- 1. each of the Marks;
- 2. the goodwill of the business symbolized by and associated with the Marks;
- 3. that portion of Assignor's business in connection with which it has a bona fide intent to use those Marks that were filed on an intent-to-use basis and for which an Amendment to Allege Use or a Statement of Use has not yet been filed and accepted by the relevant Trademark Office or other governing authority; and
- 4. all rights to proceeds of the foregoing, including, without limitation, any claim by Assignor against third parties for past, present, or future infringement of the Marks.

Assignor has caused this Trademark Assignment to be duly executed and authorized as of the date hereof.

Promontory Capital Group LBM, LLC

Name: Eugene A. Ludwig

Title: Manager

TRADEMARK REEL: 002900 FRAME: 0814

SCHEDULE 1

SERVICE MARKS

| Mark | Application No. | Application Date |
|--------------------------|-----------------|------------------|
| PROMONTORY CAPITAL GROUP | 78010547 | May 30, 2000 |

TRADEMARK
REEL: 002900 FRAME: 0815

RECORDED: 07/27/2004