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04-29-2004

2004

Form PTO-1594
(Rev. 03/01)
OMB No. 0651-0027 (exp. 5/31/2002)

102734339

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

Tab settings ⇨⇨⇨

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

The Bank of Nova Scotia, as Collateral Agent

- [ ] Individual(s)
- [ ] Association
- [ ] General Partnership
- [ ] Limited Partnership
- [x] Corporation-State
- [ ] Other

Additional name(s) of conveying party(ies) attached? [ ] Yes [x] No

2. Name and address of receiving party(ies)

Name: New Flyer Industries Limited, a

Internal Address: Canadian Corporation

Street Address: 711 Kernaghan Avenue

City: Winnipeg State: MB Zip: R2C 3T4

- [ ] Individual(s) citizenship
- [ ] Association
- [ ] General Partnership
- [ ] Limited Partnership
- [x] Corporation-State Canadian
- [ ] Other

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)
Additional name(s) & address(es) attached? [x] Yes [ ] No

3. Nature of conveyance:

- [ ] Assignment
- [ ] Merger
- [ ] Security Agreement
- [ ] Change of Name
- [x] Other Trademark Release

Execution Date: 02/27/2004

4. Application number(s) or registration number(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s) SEE SCHEDULE A

Additional number(s) attached [x] Yes [ ] No

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

Name: Tonya Chapple

Internal Address: c/o CSC

Street Address: 80 State St.

City: Albany State: NY Zip: 12207

6. Total number of applications and registrations involved: 7

7. Total fee (37 CFR 3.41) $ 190.00

- [x] Enclosed
- [ ] Authorized to be charged to deposit account

8. Deposit account number:

DO NOT USE THIS SPACE

9. Signature.

James P. Murphy	James P. Murphy	March 3, 2004
Name of Person Signing	Signature	Date

Total number of pages including cover sheet, attachments, and document: 6

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patent & Trademarks, Box Assignments
Washington, D.C. 20231

04/28/2004 ECOOPER 00000062 2072380

01 FC:8521 40.00 OP
02 FC:8522 150.00 OP

Schedule A

ICON LOGO & Design (Design Only)	2,072,380
NEW FLYER	1,577,351
NEW FLYER & Design	1,572,970
NEW FLYER & Design	2,177,401
NEW FLYER & Design	2,177,404
NEW FLYER & Design	2,177,405
WINGS Design	2,059,301

TRADEMARK RELEASE

This Release granted on this 27th day of February, 2004, by The Bank of Nova Scotia, as Collateral Agent ("Collateral Agent"), to New Flyer Industries, Limited, a Canadian corporation with principal offices at 711 Kernaghan Avenue, Winnipeg, Canada ("Assignor"), as follows:

W I T N E S S E T H

WHEREAS, the Assignor has heretofore granted to the Collateral Agent a security interest in certain U.S. trademarks, trademark registrations and trademark applications as more particularly set forth on Schedule A attached hereto (the "Marks") to secure the Obligations (as defined in the Security Agreement, dated October 15, 1998, between the Collateral Agent and the Assignor (the "Security Agreement")); and

WHEREAS, the Collateral Agent wishes to release and restore all right, title and interest in and to the Marks to the Assignor and to dissolve any and all Liens and encumbrances respecting the Marks shown on the attached Schedule A hereto.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, the Collateral Agent hereby releases, discharges, quit claims and relinquishes unto the Assignor any and all right, title and interest in and to the Marks, and more particularly, (i) the security interest in the trademarks, trademark registrations and trademark applications as set forth on Schedule A hereto, (ii) all Proceeds (as such term is defined in the Uniform Commercial Code as in effect in the State of New York on October 15, 1998 or under other relevant law) and products of the Marks, (iii) the goodwill of the business symbolized by the Marks and (iv) all causes of action arising prior to October 15, 1998 for infringement of any of the Marks or unfair competition regarding the same, and granted to Collateral Agent by the

Assignor by the Security Agreement, which Assignment was duly recorded on November 16, 1998 at Trademark Reel 1814, Frame 0712 in the United States Patent and Trademark Office.

* * *

IN WITNESS WHEREOF, the undersigned, by and through its authorized officer, has caused this instrument to be executed on the date first written above.

THE BANK OF NOVA SCOTIA,
as Collateral Agent

By _____
Robert Bruce Lockie
Vice President

2/25/2004 2:30 PM (2K)
NEWYORK 3797988 v1 [3797988_1.DOC]

PROVINCE OF ONTARIO)
)
)

On this 27th day of February, 2004, before me personally appeared Robert Bruce Lockie, to me known who, being by me duly sworn, did depose and say that he is the Vice President of The Bank of Nova Scotia described herein and which executed the foregoing instrument and that he signed his name thereto pursuant to the authority granted by said entity.

Notary Public

2/25/2004 2:30 PM (2K)
NEWYORK 3797988 v1 [3797988_1.DOC]

Designation of Domestic Representative

***U.S. Registration Nos. 2,072,380, 1,577,351, 1,572,970, 2,177,401, 2,177,404, 2,177,405 and 2,059,301**

Danice Kowalczyk of White and Case LLP, 1155 Avenue of the Americas, New York, NY 10036-2787, is hereby designated the United States representative of New Flyer Industries Limited, a Canadian Corporation, upon whom notice of process in any proceedings concerning the above-referenced mark may be served.

New Flyer Industries Limited, a
Canadian Corporation

By_____
Name: Glenn Astam
Title V.P. Finance

TRADEMARK TEL PROCESS
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2004 APR 21 P 2:43
PATENT & TRADEMARK OFFICE

Schedule A

ICON LOGO & Design (Design Only)	2,072,380
NEW FLYER	1,577,351
NEW FLYER & Design	1,572,970
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