

09-22-2004



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To the Honorable Commissioner of Patents and Trademarks

Unrecorded original documents or copy thereof.

1. Name of conveying party(ies):

AZTEC CONCRETE ACCESSORIES, INC.

- ☐ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☒ Corporation- California
☐ Other _____

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☒ Other Security Interest Amendment

Execution Date: January 30, 2004

2. Name and address of receiving party(ies):

Name: The Bank of New York (Collateral Trustee)

Internal

Address: _____

Street Address: 101 Barclay Street

City: New York State: NY Zip: 10286

- ☐ Individual(s) citizenship _____
☐ Association _____
☐ General Partnership _____
☐ Limited Partnership _____
☐ Corporation-State _____
☒ Other New York Banking Corporation

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? ☐ Yes ☒ No

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

SEE ATTACHED SCHEDULE

Additional number(s) attached ☒ Yes ☐ No

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

Name: Julie L. Dalke, Esq.

Internal Address: Latham & Watkins LLP

Street Address: 650 Town Center Drive

Suite 2000

City: Costa Mesa State: CA Zip: 92626

6. Total number of applications and registrations involved:.....

5

7. Total fee (37 CFR 3.41).....\$ 140.00

- ☒ Enclosed
☐ Authorized to be charged to deposit account

8. Deposit account number

50-0524

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Julie L. Dalke

Name of Person Signing

Julie L. Dalke
Signature

February 9, 2004

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



SCHEDULE A

AZTEC CONCRETE ACCESSORIES, INC.
TRADEMARK REGISTRATIONS

<u>Registered Owner</u>	<u>Trademark</u>	<u>Registration No.</u> <u>Registration Date</u>
Aztec Concrete Accessories, Inc.	AZTEC	2026640 12/31/96
Aztec Concrete Accessories, Inc.	AZTEC (Stylized)	2026641 12/31/96
Aztec Concrete Accessories, Inc.	CASTLE CHAIR REBAR SUPPORTS And Design	2136857 2/17/98
Aztec Concrete Accessories, Inc.	E-Z CHAIR	1511787 11/8/98
Aztec Concrete Accessories, Inc.	SPEED STEP	2808952 01/27/04 Application No. 75/921,825 02/05/00

SECURITY INTEREST AMENDMENT

This Security Interest Amendment entered into as of January 30, 2004, by THE BANK OF NEW YORK, as collateral agent (the "Collateral Agent") and as successor to Deutsche Bank Trust Company Americas (formerly known as Bankers Trust Company), as collateral agent (the "Original Collateral Agent"), with principal offices at 101 Barclay Street, New York, NY 10286, and AZTEC CONCRETE ACCESSORIES, INC., (the "Grantor"), a California corporation with principal offices at 7777 Washington Village Drive, Suite 130, Dayton, OH, 45459, as follows:

W I T N E S S E T H

WHEREAS, the Grantor 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 certain obligations pursuant to the Second Amended and Restated Security Agreement, originally dated as of June 16, 2000, amended and restated as of June 9, 2003 and further amended and restated as of January 30, 2004, between the Agent, the Grantor and certain other parties (the "Security Agreement")); and

WHEREAS, the Collateral Agent and the Grantor wish to acknowledge, among other things, the replacement by the Collateral Agent of the Original Collateral Agent pursuant to the Security Agreement.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, the Collateral Agent and Grantor hereby amend the Original Collateral Agent's security interest in the Marks to reflect the following:

1. The secured party of record is The Bank of New York, as Collateral Agent, and as successor to the Original Collateral Agent.

2. The lien and security interest granted to the Collateral Agent pursuant to each Security Interest are subject to the provisions of the Intercreditor Agreement, dated as of January 30, 2004, among General Electric Capital Corporation, as Agent, The Bank of New York, as Collateral Agent and as Trustee, and the Obligors (as defined therein). In the event of any conflict between the terms of the Intercreditor Agreement, this Amendment or any instrument granting a Security Interest amended hereby, the terms of the Intercreditor Agreement shall govern.

[Signature Page Follows]

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 NEW YORK,
as Collateral Agent

By Cynthia Chaney
Name: CYNTHIA J. CHANEY
Title: VICE PRESIDENT

AZTEC CONCRETE ACCESSORIES, INC.

By _____
Name:
Title:

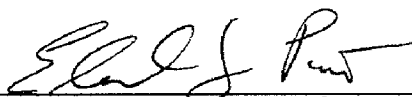
IN WITNESS WHEREOF, the undersigned, by and through its authorized officer,

has caused this instrument to be executed on the date first written above.

THE BANK OF NEW YORK,
as Collateral Agent

By _____
Name:
Title:

AZTEC CONCRETE ACCESSORIES, INC.

By  _____
Name: EDUARDO G. PINEDA
Title: VICE PRESIDENT AND CFO



SCHEDULE A

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TRADEMARK REGISTRATIONS

<u>Registered Owner</u>	<u>Trademark</u>	<u>Registration No.</u> <u>Registration Date</u>
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