

01-20-2006

DEPARTMENT OF COMMERCE
Patent and Trademark Office



1/19/06

RECORDS
TRAC

103161560

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):

Climax Portable Machine Tools, Inc.

- Individual(s)
- General Partnership
- Corporation- State: Oregon
- Other _____
- Association
- Limited Partnership

Citizenship (see guidelines) _____

Additional names of conveying parties attached? Yes No

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

Execution Date(s) November 30, 2005

- Assignment
- Security Agreement
- Other _____
- Merger
- Change of Name

2. Name and address of receiving party(ies)

Additional names, addresses, or citizenship attached? Yes No

Name: Bank of America, N.A.
 Internal Attn: Daryl Hogge
 Address: ORL-129-17-15
 Street Address: 121 SW Morrison, Suite 1700
 City: Portland
 State: OR

Country: USA Zip: 97204

Association Citizenship United States

General Partnership Citizenship _____

Limited Partnership Citizenship _____

Corporation Citizenship _____

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)

1830157

Additional sheet(s) attached? Yes No

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

Climax

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

Name: Michael H. Schmeer

Internal Address: Davis Wright Tremaine

Street Address: 1300 SW Fifth Ave., #2300

City: Portland

State: OR Zip: 97201

Phone Number: (503) 778-5430

Fax Number: (503) 778-5499

Email Address: mikeschmeer@dwt.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 _____
Expiration Date _____

b. Deposit Account Number _____
Authorized User Name _____

9. Signature:

Michael H Schmeer
Signature

Jan 12 2006
Date

Michael H. Schmeer

Name of Person Signing

Total number of pages including cover sheet, attachments, and document: 1

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

OFFICE OF PUBLIC RECORDS
CLASSIFICATION UNIT
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1/19/06

**NOTICE
OF
GRANT OF SECURITY INTEREST
IN
TRADEMARKS**

United States Patent and Trademark Office

Gentlemen:

Please be advised that pursuant to the Security Agreement dated as of November 30, 2005 (as amended, restated, modified, renewed, supplemented or extended from time to time, the "Security Agreement") by and among Climax Technologies, Inc., a Delaware corporation, Climax Portable Machine Tools, Inc. (collectively, the "Borrower") and Bank of America, N.A. (the "Lender"), the undersigned Borrower has granted a continuing security interest in and continuing lien upon, the trademark registrations and the trademark applications shown below to the Lender:

TRADEMARKS

No.	Trademark	Trademark Registration #	Original Issue Date	Original File Date
1.	Climax	1830157	4/12/1994	5/3/1993

The Borrower and the Lender, hereby acknowledge and agree that the security interest in the foregoing trademarks and trademark applications (i) may only be terminated in accordance with the terms of the Security Agreement and (ii) is not to be construed as an assignment of any trademark or trademark application.

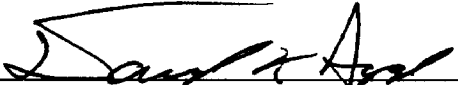
Very truly yours,

CLIMAX PORTABLE MACHINE TOOLS,
INC., an Oregon corporation

By: Raymond J. Desbouter
Name: RT Desbouter Jr.
Title: SECRETARY

Acknowledged and Accepted:

BANK OF AMERICA, N.A.

By: 
Name: Daryl K. Hoge
Title: Senior Vice President