

11-17-2000

10-10-00

TO: The Commissioner of Patents and  
Submission Type101520173  
Conveyance type

Original document(s) or copy(ies).

☒ New☐ Assignment☐ Security Agreement☐ Resubmission (Non-Recordation)  
Document ID#☐ License☐ Change of Name☐ Correction of PTO Error☐ Merger☒ OtherAssignment of Interest in  
Patent, Trademark and  
License Mortgage

Reel # Frame #

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☐ Corrective Document

Reel # Frame #

☐ Departmental File☐ Secret File

Conveying Party(ies)

☐ Mark if additional names of conveying parties attached

Name (line 1) Bank of America Commercial Finance Corporation

Execution Date  
Month Day Year  
9 30 00

Name (line 2) Formerly known as NationsCredit Commercial Corporation

Second Party

Name (line 1)

Execution Date  
Month Day Year

Name (line 2)

Receiving Party

☐ Mark if additional names of conveying parties attached

Name (line 1) Foothill Capital Corporation

Name (line 2)

Address (line 1) 2450 Colorado Avenue, Suite 3000 West

Address (line 2)

Address (line 3) Santa Monica

California

90404

City

State/Country

Zip Code

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

1-1672000 MTHALL 00000122 5287987

1-1672000 MTHALL 00000122 5287987

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Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

PATENT

REEL: 011238 FRAME: 0130

## Correspondent Name and Address

Area Code and Telephone Number

Name

Otterbourg, Steindler, Houston &amp; Rosen, P.C.

Address (line 1)

Andrew M. Kramer, Esq.

Address (line 2)

Address (line 3)

230 Park Avenue

Address (line 4)

New York, New York 10169

## Pages

Enter the total number of pages of the attached conveyance document including any attachments.

#

## Application Number(s) or Patent Number(s)

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)


5,287,987		

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

## Patent Cooperation Treaty (PCT)

Enter PCT application number only if a U.S. Application Number has not been assigned.

PCT

PCT

PCT

PCT

PCT

PCT

## Number of Properties

Enter the total number of properties involved.

#

1

## Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$

40

Method of Payment:

Enclosed



Deposit Account



Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account)

Deposit Account Number:

#

Authorization to charge additional fees:

Yes



No



## 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. Charges to deposit account are authorized, as indicated herein.

Steven Goldberg

Name of Person Signing

Signature

Date

10/5/00

ASSIGNMENT OF INTEREST IN  
PATENT, TRADEMARK AND LICENSE MORTGAGE

WHEREAS, Banc of America Commercial Finance Corporation f/k/a NationsCredit Commercial Corporation, a Delaware corporation, with an office at 1177 Avenue of the Americas, 36<sup>th</sup> Floor, New York, New York 10036 ("Assignor") entered into a Loan and Security Agreement, dated November 25, 1997 (as amended from time to time, the "Loan Agreement") by and between Assignor as lender and Q3 Comdyne Cylinders, Inc., an Ohio Corporation, with its chief executive office and principal place of business at 777 Manor Park Drive, Columbus, Ohio 43228 ("Mortgagor") as borrower; and

WHEREAS, pursuant to the Loan Agreement, and as evidenced by a Patent, Trademark and License Mortgage, dated November 25, 1997 (the "Mortgage"), Mortgagor granted to Assignor a security interest in substantially all of Mortgagor's assets, including, without limitation, its patents, patent applications, trademarks, trademark applications, tradenames, service marks, service mark applications, goodwill and licenses; and

WHEREAS, an executed copy of the Mortgage was filed at the United States Patent and Trademark Office in Reel 8848, Frame 0618 on December 9, 1997; and

WHEREAS, Foothill Capital Corporation, a California corporation, having an office at 2450 Colorado Avenue, Suite 3000 West, Santa Monica, California 90404 ("Assignee") has requested that Assignor assign its interest in the patents, trademarks and trademark applications listed on Exhibit A annexed hereto.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Assignor hereby:

1. assigns to Assignee any and all liens, security interests, right, title and interest of Assignor pursuant to the Mortgage including, without limitation, its interest in the patents, trademarks and trademark applications (together with the goodwill of the business symbolized thereby) which are described more fully on Exhibit A annexed hereto, without recourse or representation or warranty express or implied;
2. represents and warrants to Assignee that Assignor has not previously assigned or transferred any of its rights or interests in any security interests in or liens upon any such property; and
3. authorizes and requests the Commissioner of Patents and Trademarks of the United States of America to note and record the existence of the assignment hereby made.

IN WITNESS WHEREOF, Assignor has caused this Assignment to be signed by its duly authorized officer as of this 30th day of September, 2000.

BANC OF AMERICA COMMERCIAL  
FINANCE CORPORATION

By: Phil J. Zhou

Title: Senior Vice President

STATE OF NEW YORK     )  
  ) ss.:  
COUNTY OF NEW YORK    )

On the 2nd day of Oct, 2000, before me personally came Phillip S. Zhou to me known, who being by me duly sworn, did depose and say, that he/she is the Senior Vice President of BANC OF AMERICA COMMERCIAL FINANCE CORPORATION and that the foregoing instrument was signed on behalf of such corporation by authority of its Board of Directors, and he/she acknowledged the execution of said instrument to be the free act and deed of said corporation.

Daniel P. Greenstein  
Notary Public

DANIEL P. GREENSTEIN  
Notary Public, State of New York  
No. 02GR6028664  
Qualified in New York County  
Commission Expires August 2, 2001

EXHIBIT A

PATENTS

<u>Patent</u>	<u>Federal Registration No.</u>	<u>Registration Date</u>
Filament Wound Pressure Vessel	5,287,987	2/22/94