

9/3/02

09-06-2002

Form PTO-1595  
(Rev. 03/01)U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

OMB No. 0651-0027 (exp. 5/31/2002)

102213886

04031-0310

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):

WHEELABRATOR AIR POLLUTION CONTROL, INC.

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

## 3. Nature of conveyance:

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

Execution Date: 08/07/2002

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

Name: Deutsche Bank Trust Company Americas

Internal Address: \_\_\_\_\_

Street Address: 700 Louisiana Street

Suite 1500

City: Houston State: TX Zip: 77002

Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s) \_\_\_\_\_

B. Patent No.(s) 4,846,402;

4,765,802

Additional numbers attached? ☐ Yes ☒ No

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

Name: White &amp; Case LLP

Internal Address: \_\_\_\_\_

Street Address: Patent Department

1155 Avenue of the Americas

City: New York State: NY Zip: 10036

## 6. Total number of applications and patents involved: 2

7. Total fee (37 CFR 3.41).....\$ 80.00

- ☒ Enclosed
- ☒ Authorized to be charged to deposit account

## 8. Deposit account number:

23-1703

DO NOT USE THIS SPACE

## 9. Signature.

Andrew Fessak, Reg. No. 48,528  
Name of Person Signing*Andrew Fessak*  
SignatureAugust 27, 2002  
Date

Total number of pages including cover sheet, attachments, and documents: 10

09/05/2002 DBYRNE 00000024 4846402

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

01 FC:581

80.00 OP

PATENT  
REEL: 013248 FRAME: 0441

GRANT OF SECURITY INTEREST  
IN UNITED STATES PATENTS

FOR GOOD AND VALUABLE CONSIDERATION, receipt and sufficiency of which are hereby acknowledged, WHEELABRATOR AIR POLLUTION CONTROL, INC., a Maryland corporation (the "Grantor") with principal offices at 441 Smithfield Street, Pittsburgh, PA 15222, hereby assigns and grants to Deutsche Bank Trust Company Americas (f.k.a Bankers Trust Company), as Collateral Agent, with principal offices at 700 Louisiana Street, Suite 1500, Houston, TX 77002, (the "Grantee"), a security interest in (i) all of the Grantor's rights, title and interest in and to Grantor's patents and pending patent applications, including those more particularly set forth on Schedule A attached hereto (the "Patents"), and all divisions, renewals and continuations thereof, in each case together with (ii) all Proceeds (as such term is defined in the Security Agreement referred to below) and products of the Patents, and (iii) all causes of action arising prior to or after the date hereof for infringement of any of the Patents or unfair competition regarding the same.

THIS GRANT is made to secure the satisfactory performance and payment of all the Obligations of the Grantor, as such term is defined in the Security Agreement among the Grantor, the other assignors from time to time party thereto and the Grantee, dated as of March 21, 2002 (as amended from time to time, the "Security Agreement"). Upon the occurrence of the Termination Date (as defined in the Security Agreement), the Grantee shall execute, acknowledge, and deliver to the Grantor an instrument in writing releasing the security interest in the Patents acquired under this Grant.

This Grant has been granted in conjunction with the security interest granted to the Grantee under the Security Agreement. The rights and remedies of the Grantee with respect to the security interest granted herein are without prejudice to and are in addition to those set forth in the Security Agreement, all terms and provisions of which are incorporated herein by reference. In the event that any provisions of this Grant are deemed to conflict with the Security Agreement, the provisions of the Security Agreement shall govern.

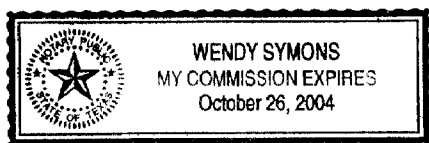
7<sup>th</sup> day of August, 2002.

By: James D. Bennett  
Name: James D. Bennett  
Title: VP

By \_\_\_\_\_  
Name: Marcus M. Tarkington  
Title: Director

STATE OF Texas )  
 ) ss.:  
COUNTY OF Harris )

On this 7<sup>th</sup> day of August, 2002, before me personally came James Bennett who, being by me duly sworn, did state as follows: that [s]he is Vice President of WHEELABRATOR AIR POLLUTION CONTROL, INC., that [s]he is authorized to execute the foregoing Grant on behalf of said Corporation and that [s]he did so by authority of the Board of Directors of said Corporation.



Wendy Symons  
Notary Public  
Wendy Symons

IN WITNESS WHEREOF, the undersigned have executed this Grant as of the

7<sup>th</sup> day of August, 2002.

WHEELABRATOR AIR POLLUTION  
CONTROL, INC.,  
Grantor

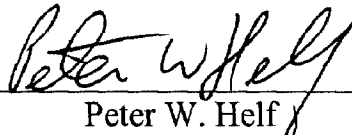
By \_\_\_\_\_  
Name:  
Title:

DEUTSCHE BANK TRUST COMPANY  
AMERICAS (f.k.a. Bankers Trust Company),  
as Collateral Agent and Grantee

By Calli L. Hayes  
Name: Calli Hayes  
Title: Managing Director

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

On this 7 day of August, 2002, before me personally came Calli Hayes who, being by me duly sworn, did state as follows: that she is Managing Director of DEUTSCHE BANK TRUST COMPANY AMERICAS (f.k.a. Bankers Trust Company), that she is authorized to execute the foregoing Grant on behalf of said corporation and that [s]he did so by authority of the Board of Directors of said corporation.

  
Peter W. Helf

**Peter W. Helf**  
**Notary Public, State of New York**  
**Qualified in Suffolk County**  
**No. 01HE6030586**  
**Commission Expires 9/13/20** 05

SCHEDULE A

PATENT

PATENT NO.

REGISTRATION DATE

Spray nozzle and method of  
preventing solids build-up thereon

4,846,402

July 11, 1989

Electrostatic precipitator plate spacer  
and method of installing same

4,765,802

August 23, 1988