

09-13-2000

8-14-00



Form PTO-1594  
1-31-92

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

101455514

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

1. Name of conveying party(ies): Dayton Superior Corporation

Individuals  Association  
 General Partnership -  Limited Partnership  
 Corporation - State: Ohio  
 Other - \_\_\_\_\_

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

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

Name: Bankers Trust Company

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

Street Address: 130 Liberty Street

City: New York State: New York ZIP: 10006

Individual(s) citizenship \_\_\_\_\_  
 Association \_\_\_\_\_  
 General Partnership \_\_\_\_\_  
 Limited Partnership \_\_\_\_\_  
 Corporation - \_\_\_\_\_  
 Other - Collateral Agent

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

3. Nature of conveyance:

Assignment  Merger  
 Security Interest  Change of Name  
 Other \_\_\_\_\_

Execution Date: June 16, 2000

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

A. Trademark Application No.(s)

Additional numbers attached?  Yes  No

Trademark Registration No.(s) 75121051

Please see attached Schedule A

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

Name: Brian Jaenicke, Legal Assistant

Internal Address: White & Case LLP

Street Address: 1155 Avenue of the Americas

City: New York State: NY ZIP: 10036

6. Total number of applications and registration involved: 26

7. Total fee (37 CFR 3.41): ..... \$ 665.00

Enclosed  
 Authorized to be charged to deposit account, in case of deficiency

8. Deposit account number: \_\_\_\_\_  
 (23-1705 in case of deficiency)

(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.*

Brian T. Jaenicke  
 Name of Person Signing

Brian T. Jaenicke  
 Signature

8/14/00  
 Date

Total number of pages comprising cover sheet: 1

OMB No. 0651-0011 (exp. 4/94)

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

**Commissioner of Patents and Trademarks**  
**Box Assignments**  
**Washington, D.C. 20231**

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503.

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SCHEDULE A

Trademark	Country	Status	Application No. and Date	Registration No. and Date	Comments
AMERICAN HIGHWAY TECHNOLOGY	US	allowed - intent to use	75/121051 6/18/96		Int'l. Class(es) 6, 17, 19, 37
GYRO TILT PLUS	US	published	75/413784 1/05/98		Int'l. Class(es) 6
DAYTON SUPERIOR	US	registered	73/399517 10/01/82	1287643 7/31/84	Int'l. Class(es) 6; Security Interest in favor of Bank
DAYTON SUPERIOR	US	registered	75/138973 7/24/96	2158144 5/19/98	One recorded 11/6/97
S	US	expired	72/383292 2/08/71	0941224 8/22/72	Classes unavailable
SURE-GRIP	US	registered	74/161032 4/26/91	1768658 5/04/93	Int'l. Class(es) 19
A	US	registered	73/643458 1/28/87	1452916 8/18/87	Int'l. Class(es) 6
C	US	registered	73/641698 1/28/87	1453913 8/25/87	Int'l. Class(es) 6
LEVELAYER	US	registered	73/543931 6/19/85	1397671 6/17/86	Int'l. Class(es) 19
DAY-CHEM	US	registered	73/284292 11/03/80	1177246 11/10/81	Int'l. Class(es) 19
SWIFT LIFT	US	registered	73/028742 8/05/74	1009108 4/22/75	Int'l. Class(es) 6
TWIST-LIFT	US	registered	72/291787 2/23/68	0880316 11/11/69	Int'l. Class(es) 6
JAHN	US	registered	72/264561 2/13/67	0846110 3/19/68	Int'l. Class(es) 19

Trademark	Country	Status	Application No. and Date	Registration No. and Date	Comments
RAPL-TIES	US	registered	72/180151 10/10/63	0784682 2/09/65	Int'l. Class(es) 19
CRETE CURE	US	registered	72/452142 3/21/73	0982189 4/16/74	Int'l. Class(es) 1
GASKET-LOCK	US	registered	72/301271 6/24/68	0889203 4/07/70	Int'l. Class(es) 19
SURE-GRIP	US	registered	72/205043 10/29/64	0798721 11/16/65	Int'l. Class(es) 19
JAHN	US	registered	72/149581 7/23/62	0751913 7/02/63	Int'l. Class(es) 6
HEXAGON LOGO	US	abandoned	75/135891 7/18/96		Int'l. Class(es) 1, 6
DAYTON/RICHMOND	US	pending	75/892,252 1/7/00		
GYRO TILT PLUS	US	registered	413,784 1/5/98	2,301,428 12/21/99	
MAXI-LIFT	US	registered	73/287993 1/07/81	1200183 7/06/82	Int'l. Class 7 Symons assigned a security interest to third party 11/06/97
TYSCRU	US	registered	71/419125 5/05/39	0371282 9/19/39	Int'l. Class 19 Symons assigned a security interest to third party 11/06/97

Trademark	Country	Status	Application No. and Date	Registration No. and Date	Comments
TYWEDGE	US	registered	72/126178 8/17/61	0751853 6/25/63	Int'l. Class 19  Symons assigned a security interest to third party 11/06/97
RICHMOND SCREW ANCHOR CO., INC. INSIST ON RICHMOND . . .	US	registered	72/162664 2/13/63	0759042 10/29/63	Int'l. Class 1  Symons assigned a security interest to third party 11/06/97
RICHMOND SNAP-TYS	US	expired	71/653397 9/18/53	0594423 8/31/54	Int'l. Class 19  Symons assigned a security interest to third party 11/06/97

**GRANT OF SECURITY INTEREST  
IN UNITED STATES TRADEMARKS**

FOR GOOD AND VALUABLE CONSIDERATION, receipt and sufficiency of which are hereby acknowledged, DAYTON SUPERIOR CORPORATION, a Ohio corporation (the "Grantor") with principal offices at 7777 Washington Village Drive, Suite 130, Dayton, OH 45459, hereby assigns and grants to Bankers Trust Company, as Collateral Agent, with principal offices at 130 Liberty Street, New York, New York 10006 (the "Grantee"), a security interest in (i) all of the Grantor's right, title and interest in and to the United States trademarks, trademark registrations and trademark applications (the "Marks") set forth on Schedule A attached hereto, (ii) all Proceeds (as such term is defined in the Security Agreement referred to below) and products of the Marks, (iii) the goodwill of the businesses with which the Marks are associated and (iv) all causes of action arising prior to or after the date hereof for infringement of any of the Marks 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 June 16, 2000 (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, upon such satisfaction, execute, acknowledge, and deliver to the Grantor an instrument in writing releasing the security interest in the Marks acquired under this Grant.

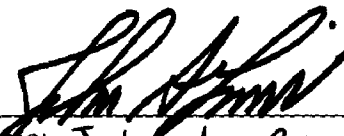
This Grant has been granted in conjunction with the security interest granted to the Grantee under the Security Agreement. The rights and remedies of the Grantee with respect to the security interest granted herein are as set forth in the Security Agreement, all terms and provisions of which are incorporated 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.

\* \* \*

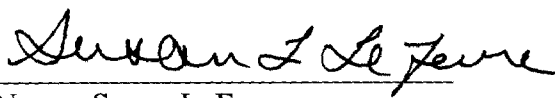
IN WITNESS WHEREOF, the undersigned have executed this Agreement as of

the 16<sup>th</sup> day of June, 2000.

DAYTON SUPERIOR CORPORATION,  
Grantor


By   
Name: John A. Ciccarelli  
Title: President & Chief Executive Officer

BANKERS TRUST COMPANY,  
as Collateral Agent, Grantee

By   
Name: Susan LeFevre  
Title: Director

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

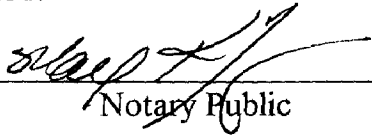
On this 16<sup>th</sup> day of June, 2000, before me personally came John A. Ciccarelli who, being by me duly sworn, did state as follows: that he is President & Chief Executive Officer of Dayton Superior Corporation, that he is authorized to execute the foregoing Grant on behalf of said corporation and that he did so by authority of the Board of Directors of said corporation.

  
\_\_\_\_\_  
Notary Public

**MAY KAREN YIP**  
Notary Public, State of New York  
No. 01Y16009063  
Qualified in New York County  
Commission Expires June 22, 2000

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

On this 16<sup>th</sup> day of June, 2000, before me personally came Susan LeFevre who, being by me duly sworn, did state as follows: that she is a Director of Bankers Trust Company that she is authorized to execute the foregoing Grant on behalf of said corporation and that she did so by authority of the Board of Directors of said corporation.

  
\_\_\_\_\_  
Notary Public

MAY KAREN YIP  
Notary Public, State of New York  
No. 01Y16009063  
Qualified in New York County  
Commission Expires June 22, 2000