

MSD 12-21-98

FORM PTO-1594 (Rev. 3-93) GMS No. C851-0011 (e)

12-14-1998



1 FORM COVER SHEET MARKS ONLY

U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office

Tab settings => c

To the Hon

100921981

marks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Galbreath Incorporated

- Individual(s), Association, General Partnership, Limited Partnership, Corporation-State Indiana, Other

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

2. Name and address of receiving party(ies)

Name: National Canada Finance Corp.

Internal Address:

Street Address: 125 W. 55th Street

City: New York State: NY ZIP: 10019

- Individual(s) citizenship, Association, General Partnership, Limited Partnership, Corporation-State, Other

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 Agreement, Change of Name, Other Release

Execution Date: November 25, 1998

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

A. Trademark Application No.(s) See Attached.

B. Trademark Registration No.(s) See Attached.

Additional numbers attached? Yes No

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

Name: Jeffrey D. Weinstein

Internal Address: Johnson Smith LLP

Street Address: One Indiana Square, Suite 1800

City: Indianapolis State: IN ZIP: 46204

6. Total number of applications and registrations involved: 6

7. Total fee (37 CFR 3.41) \$165.00

- Enclosed, Authorized to be charged to deposit account

8. Deposit account number:

(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.

Jeffrey D. Weinstein

Name of Person Signing

Signature

December 14, 1998

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 Patents & Trademarks, Box Assignment, Washington, D.C. 20231

TRADEMARK REEL: 1825 FRAME: 0211

**SCHEDULE I**

**TRADEMARKS**

**Marks**

<u>Mark</u>	<u>Country</u>	<u>Registration No.</u>	<u>Issue Date</u>
Lickity Splitter	USA	691,639	01/19/60
Galbreath & Design	USA	1,660,510	10/15/91
Galbreath & Design	USA	1,796,654	10/05/93
Righthook	USA	1,957,439	02/20/96
Righthook & Design	USA	1,957,440	02/20/96

**Applications**

<u>Mark</u>	<u>Country</u>	<u>Application No.</u>	<u>Application Date</u>
Can-Lock	USA	75/331,284	07/28/97

JDW/196153

**STATEMENT OF RELEASE**  
**OF GRANT OF SECURITY INTEREST**  
**(PATENTS, TRADEMARKS, and LICENSING)**

This instrument is prepared and is intended to comply with the formal requisites as set forth in the Uniform Commercial Code and the United States Patent and Trademark Office.

1. The name and address of the debtor ("Debtor") is:

Galbreath Incorporated (previously known as K.B. Industries, Inc.)  
Rosser Drive, P.O. Box 220  
Winamac, IN 46996

2. The name and address of the secured party ("Secured Party") is:

National Canada Finance Corp.  
125 West 55th Street  
New York, NY 10019

3. This Statement refers to the (i) Patent Security Agreement between Debtor, an Indiana corporation, and Secured Party dated December 18, 1992 which was recorded on January 21, 1993 with the United States Patent and Trademark Office on reel 6385, frame 0891, ; (ii) Patent Security Agreement between Debtor, an Indiana corporation, and Secured Party dated May 1, 1996; (iii) Trademark Security Agreement between Debtor, an Indiana corporation, and Secured Party dated December 18, 1992 which was recorded on December 23, 1992 with the United States Patent and Trademark Office on reel 0919, frame 0869 and subsequently recorded on January 21, 1993 on reel 0932, frame 0329 and reel 0932, frame 0337.

4. Secured Party hereby releases all of its security interests in the patent and trademark collateral granted by Debtor to Secured Party (the "Collateral"), including, without limitation, the Collateral described on Schedule I and Schedule II attached hereto and made a part hereof.

5. Presented for filing to the U.S. Commissioner of Patents and Trademarks.

Dated: November 25, 1998

SECURED PARTY

NATIONAL CANADA FINANCE CORP.

By: James J. Fricke  
Its: VP  
Printed: JAMES J FRICKE

STATE OF OHIO )

COUNTY OF HAMILTON )

On the 3<sup>rd</sup> day of DEC., 1998, before me personally appeared JAMES FRICKE to me personally known or proved to me on the basis of satisfactory evidence to be the person described in and who executed the foregoing instrument, who being duly sworn, did depose and say that he is the VICE PRESIDENT of National Canada Finance Corp., the corporation described in and which executed the foregoing instrument; and that he acknowledged said instrument to be the free act and deed of said corporation.



JANICE C. EMMERT  
Notary Public, State of Ohio  
My Commission Expires Feb. 18, 2003

Janice C. Emmert  
Notary Public - Signature

JANICE C. EMMERT  
Notary Public - Printed

My Commission expires: FEB 18, 2003

I am a resident of HAMILTON County, OHIO

**SCHEDULE I****TRADEMARKS****Marks**

<u>Mark</u>	<u>Country</u>	<u>Registration No.</u>	<u>Issue Date</u>
Lickity Splitter	USA	691,639	01/19/60
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**Applications**

<u>Mark</u>	<u>Country</u>	<u>Application No.</u>	<u>Application Date</u>
Can-Lock	USA	75/331,284	07/28/97

JDW/196153

## SCHEDULE II

### PATENTS

<u>Patent No.</u>	<u>Country</u>	<u>Issue Date</u>	<u>Expiration Date</u>	<u>Title</u>
4,182,236	USA	01/08/80	01/08/97	Vertical Baler with Improved Material Hold Down and Bale Ejecting Means
4,615,366	USA	10/07/86	10/07/2003	Lob Splitter with Rapid Return Hydraulic Cylinder
4,840,532	USA	06/20/89	06/20/2006	Roll Off Hoist for Variable Positioning of Containers
4,934,898	USA	06/19/90	06/19/2007	Roll Off Hoist for Variable Positioning of Containers and Method for use thereof
4,986,719	USA	01/22/91	01/22/2008	Roll Off Hoist for Variable Positioning of Containers
5,088,875	USA	02/18/92	02/18/2009	Roll Off Hoist for Variable Positioning of Containers
5,251,775	USA	10/12/93	05/01/2012	Waste Handling Container with Sliding Lid
5,315,924	USA	05/31/94	05/05/2012	Waste Compactor Apparatus with Compactor and Removable Subadjacent Container
5,531,559	USA	07/02/96	10/01/2013	Vehicle Mounted Hook Hoist for Loading, Transporting, Dumping Containers
5,533,643	USA	07/09/96	08/31/2013	Waste Handling Container with Sliding Lid
5,542,807	USA	08/06/96	05/03/2014	Vehicle Mounted, Variable Length Hook Hoist

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**SCHEDULE II**

**PATENT APPLICATIONS**

<u>Application No.</u>	<u>Country</u>	<u>Filing Date</u>	<u>Title</u>
08/429,342	USA	04/26/95	Vehicle Mounted Hoist with Adjustable Container Supporting Roller Assemblies