

02-10-2004



2/9/04

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To the Honorable Commissioner of P:

102665877... are attached original documents or copy thereof.

1. Name of conveying party(ies):  
**DAYTON SUPERIOR CORPORATION**

Individual(s)                       Association  
 General Partnership               Limited Partnership  
 Corporation- Ohio  
 Other \_\_\_\_\_

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

2. Name and address of receiving party(ies):  
Name: The Bank of New York (Collateral Trustee)  
Internal  
Address: \_\_\_\_\_  
Street Address: 101 Barclay Street  
City: New York State: NY Zip: 10286

Individual(s) citizenship \_\_\_\_\_  
 Association \_\_\_\_\_  
 General Partnership \_\_\_\_\_  
 Limited Partnership \_\_\_\_\_  
 Corporation-State \_\_\_\_\_  
 Other New York Banking Corporation

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 Security Interest Amendment

Execution Date: January 30, 2004

4. Application number(s) or registration number(s):  
A. Trademark Application No.(s)  
**SEE ATTACHED SCHEDULE**

Additional number(s) attached  Yes  No

B. Trademark Registration No.(s)  
**SEE ATTACHED SCHEDULE**

5. Name and address of party to whom correspondence concerning document should be mailed:  
Name: Julie L. Dalke, Esq.  
Internal Address: Latham & Watkins LLP  
\_\_\_\_\_  
\_\_\_\_\_  
Street Address: 650 Town Center Drive  
Suite 2000  
City: Costa Mesa State: CA Zip: 92626

6. Total number of applications and registrations involved:..... **37**

7. Total fee (37 CFR 3.41).....\$ 965.00  
 Enclosed  
 Authorized to be charged to deposit account

8. Deposit account number  
50-0524  
(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.*

Julie L. Dalke                      Julie L. Dalke                      February 9, 2004  
Name of Person Signing                      Signature                      Date

Total number of pages including cover sheet, attachments, and document: **9**  
Main documents to be recorded with required cover sheet information to:  
Commissioner of Patent & Trademarks, Box Assignments  
Washington, D.C. 20231

02/10/2004 ECOOPER 00000037 1452916  
01 FC:8521 40.00 OP  
02 FC:8522 900.00 OP  
Repl. Ref: 02/10/2004 ECOOPER 0009522500  
DAA:500524 Name/Number:1452916  
FC: 3204 OC\657313.1 \$25.00 CR

## SCHEDULE A

**DAYTON SUPERIOR CORPORATION**  
**TRADEMARK REGISTRATIONS AND APPLICATIONS**

<b><u>Registered Owner</u></b>	<b><u>Trademark</u></b>	<b><u>Registration No.</u></b> <b><u>Registration Date</u></b>
Dayton Superior Corporation	A	1452916 8/18/87
Dayton Superior Corporation	AMERICAN HIGHWAY TECHNOLOGY	2536888 2/5/02
Dayton Superior Corporation	BOND TECH	1500540 08/16/88
Dayton Superior Corporation	C	1453913 8/25/87
Dayton Superior Corporation	CRETE CURE	0982189 4/16/74
Dayton Superior Corporation	DAY-CHEM	1177246 11/10/81
Dayton Superior Corporation	DAYTON /RICHMOND	2619423 09/17/02
Dayton Superior Corporation	DAYTON SUPERIOR And Design	1287643 7/31/84
Dayton Superior Corporation	DAYTON SUPERIOR And Design	2158144 5/19/98
Dayton Superior Corporation	DUTYLIGHT	2173972 07/14/98
Dayton Superior Corporation	EDOCO	2658475 12/10/02
Dayton Superior Corporation	ESCO	1517188 12/20/88
Dayton Superior Corporation	GR	2662602 12/17/02
Dayton Superior Corporation	GYRO LIFT	1538915 5/16/89
Dayton Superior Corporation	GYRO TILT PLUS	2301428 12/21/99
Dayton Superior Corporation	JAHN	0751913 7/02/63
Dayton Superior Corporation	JAHN And Design	0846110 3/19/68
Dayton Superior Corporation	LEVELAYER	1397671 6/17/86
Dayton Superior Corporation	RAPI-TIES	0784682 2/09/65

Schedule to Security Interest Amendment

<b><u>Registered Owner</u></b>	<b><u>Trademark</u></b>	<b><u>Registration No.</u></b> <b><u>Registration Date</u></b>
Dayton Superior Corporation	RICHMOND SCREW ANCHOR CO., INSIST ON RICHMOND...AND BE SURE! TIME AND LABOR SAVING CONSTRUCTION DEVICES AND CONCRETE CONSTRUCTION And Design	0759042 10/29/63
Dayton Superior Corporation	SURE-GRIP	0798721 11/16/65
Dayton Superior Corporation	SURE-GRIP	1768658 5/4/93
Dayton Superior Corporation	SWIFT LIFT	1009108 4/22/75
Dayton Superior Corporation	TYWEDGE	751853 6/25/63
Dayton Superior Corporation	UTILITY ANCHOR	2684897 2/4/03
<b><u>Owner</u></b>	<b><u>Trademark</u></b>	<b><u>Serial No.</u></b> <b><u>Filing Date</u></b>
Dayton Superior Corporation	AHT MASTER	Application No. 78/136567 06/18/02
Dayton Superior Corporation	AHT PRIME	Application No. 78/136557 06/18/02
Dayton Superior Corporation	AHT SKILL	Application No. 78/136564 06/18/02
Dayton Superior Corporation	AHT XTREME	Application No. 78/136571 06/18/02
Dayton Superior Corporation	HOLZIN	Application No. 76/361415 1/22/02
Dayton Superior Corporation	SNAPIN	Application No. 76/361409 1/22/02
Dayton Superior Corporation	SPECLINK	Application No. 76/260739 5/22/01
Dayton Superior Corporation	STAR SCRUIN	Application No. 76/361411 1/22/02
Dayton Superior Corporation	STAR SNAPIN	Application No. 76/361499 1/22/02
Dayton Superior Corporation	STAR STAZIN	Application No. 76/361496 1/22/02
Dayton Superior Corporation	STAR TAPIN	Application No. 76/361413 1/22/02
Dayton Superior Corporation	STAZIN	Application No. 76/361410 1/22/02

## SECURITY INTEREST AMENDMENT

This Security Interest Amendment entered into as of January 30, 2004, by THE BANK OF NEW YORK, as collateral agent (the "Collateral Agent") and as successor to Deutsche Bank Trust Company Americas (formerly known as Bankers Trust Company), as collateral agent (the "Original Collateral Agent"), with principal offices at 101 Barclay Street, New York, NY 10286, and DAYTON SUPERIOR CORPORATION (the "Grantor"), an Ohio corporation with principal offices at 7777 Washington Village Drive, Suite 130, Dayton, OH, 45459, as follows:

### WITNESSETH

WHEREAS, the Grantor has heretofore granted to the Collateral Agent a security interest in certain U.S. trademarks, trademark registrations and trademark applications as more particularly set forth on Schedule A attached hereto (the "Marks") to secure certain obligations pursuant to the Second Amended and Restated Security Agreement, originally dated as of June 16, 2000, amended and restated as of June 9, 2003 and further amended and restated as of January 30, 2004, between the Agent, the Grantor and certain other parties (the "Security Agreement")); and

WHEREAS, the Collateral Agent and the Grantor wish to acknowledge, among other things, the replacement by the Collateral Agent of the Original Collateral Agent pursuant to the Security Agreement.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, the Collateral Agent and Grantor hereby amend the Original Collateral Agent's security interest in the Marks to reflect the following:

1. The secured party of record is The Bank of New York, as Collateral Agent, and as successor to the Original Collateral Agent.

2. The lien and security interest granted to the Collateral Agent pursuant to each Security Interest are subject to the provisions of the Intercreditor Agreement, dated as of January 30, 2004, among General Electric Capital Corporation, as Agent, The Bank of New York, as Collateral Agent and as Trustee, and the Obligors (as defined therein). In the event of any conflict between the terms of the Intercreditor Agreement, this Amendment or any instrument granting a Security Interest amended hereby, the terms of the Intercreditor Agreement shall govern.

*[Signature Page Follows]*

IN WITNESS WHEREOF, the undersigned, by and through its authorized officer,

has caused this instrument to be executed on the date first written above.

THE BANK OF NEW YORK,  
as Collateral Agent

By Cynthia Chaney  
Name: CYNTHIA J. CHANEY  
Title: VICE PRESIDENT

DAYTON SUPERIOR CORPORATION

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

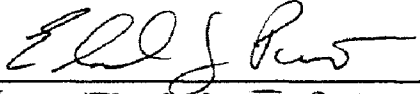
IN WITNESS WHEREOF, the undersigned, by and through its authorized officer,

has caused this instrument to be executed on the date first written above.

THE BANK OF NEW YORK,  
as Collateral Agent

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

DAYTON SUPERIOR CORPORATION

By  \_\_\_\_\_  
Name: EDWARD J. PULIS  
Title: VP AND CFO

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