

3/3/04

09-03-2004
102829484

Form PTO-1594
(Rev. 10/02)
OMB No. 0651-0027 (exp. 6/30/2005)
Tab settings ⇌ ⇌ ⇌

RE

J.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

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

1. Name of conveying party(ies):

The CIT Group/Business Credit, Inc.

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

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

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other Release of security interest
- Merger
- Change of Name

Execution Date: 02/13/2004

2. Name and address of receiving party(ies)

Name: Red Devil, Incorporated

Internal Address:

Street Address: 2400 Vauxhall Road
City: Union State: NJ Zip: 07083

- 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

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

A. Trademark Application No.(s) See Schedule A attached hereto

B. Trademark Registration No.(s) See Schedule A attached hereto

Additional number(s) attached Yes No

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

Name: Matthew R. Kaplan, Esq.

Internal Address: Cole, Schotz, Meisel,

Forman & Leonard, P.A.

Street Address: Court Plaza North, 25 Main

Street

City: Hackensack State: NJ Zip: 07601

6. Total number of applications and registrations involved:

60

7. Total fee (37 CFR 3.41).....\$ 1515

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

DO NOT USE THIS SPACE

9. Signature.

Matthew R. Kaplan

Name of Person Signing


Signature

3/1/04

Date

Total number of pages including cover sheet, attachments, and document:

15

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

TRADEMARK
REEL: 003035 FRAME: 0480

03/04/2004
01 FC:852
02 FC:852

DBYRNE 00000104 0335649

40.00 DP
1475.00 DP

SCHEDULE A

Red Devil, Incorporated
U.S Registered Trademarks and Pending Applications

Mark	Country	Registr. No. (App. No.)	Registr. Date (App. Date)	Status/Comments
"RED DEVIL"	United States	0335649 (71366305)	June 9, 1936 (June 17, 1935)	Registered
[DESIGN - DEVIL]	United States	0853505 (72245965)	July 30, 1968 (May 18, 1966)	Registered
[DESIGN - TOOL PICTURE WITH RED AND WHITE]	United States	1498327 (73646689)	August 2, 1988 (February 26, 1987)	Registered
[DESIGN - TOOL WITH BLUE TIP]	United States	0546576 (71579213)	August 14, 1951 (May 20, 1949)	Registered
AUTO SPERSE	United States	1185445 (73246745)	January 12, 1982 (January 18, 1980)	Registered
CAULK DEVIL	United States	2126018 (74712236)	December 30, 1997 (August 7, 1995)	Registered
CELULON	United States	1474987 (73666219)	February 2, 1988 (June 12, 1987)	Registered
D.I.Y.	United States	1033529 (73047364)	February 17, 1976 (March 21, 1975)	Registered
D.I.Y.	United States	1704588 (74171270)	August 4, 1992 (May 30, 1991)	Registered
D.I.Y.	United States	(76333395)	(November 2, 2001)	Pending
DRAGON SKIN	United States	0668527 (72046243)	October 21, 1958 (February 20, 1958)	Registered
DRESDEN	United States	0787769 (72186021)	April 6, 1965 (February 4, 1964)	Registered
EZ SCRAPER	United States	(76215442)	(February 23, 2001)	Pending
EZ SCRAPER PLUS	United States	(76215441)	(February 23, 2001)	Pending
FOAM & FILL	United States	(76215440)	(February 23, 2001)	Pending
HOUSE & HOME RESTORE	United States	(75603465)	(December 11, 1998)	Pending
IT'S ALL IN THE WHEEL	United States	0156055 (71151773)	June 13, 1922 (August 13, 1921)	Registered
JAK-NIFE	United States	0408537 (71468126)	August 15, 1944 (March 9, 1944)	Registered
LEWIS RED DEVIL DYE	United States	1473792 (73640344)	January 26, 1988 (January 20, 1987)	Registered
LIFETIME	United States	1138395 (73197148)	August 5, 1980 (December 18, 1978)	Registered

Doc. #603144v.8

TRADEMARK
REEL: 003035 FRAME: 0481

Mark	Country	Registr. No. (App. No.)	Registr. Date (App. Date)	Status/Comments
LIFETIME	United States	2289505 (75416929)	October 26, 1999 (January 12, 1998)	Registered
MAGNicator	United States	2068673 (75017438)	June 10, 1997 (November 1, 1995)	Registered
MASTERCUTTER	United States	1742767 (74114562)	December 29, 1992 (November 13, 1990)	Registered
ONE TIME	United States	1276975 (73384141)	May 8, 1984 (September 7, 1982)	Registered
ONETIME	United States	2169460 (75294549)	June 30, 1998 (May 19, 1997)	Registered
PATCH-A-WALL	United States	0988625 (72443375)	July 16, 1974 (December 11, 1972)	Registered
POLAR CAULK	United States	2289534 (75425414)	October 26, 1999 (January 29, 1998)	Registered
POWER GEL	United States	0938203 (72376615)	July 18, 1972 (November 19, 1970)	Registered
QUICK PAINT	United States	2242002 (75323754)	April 27, 1999 (July 14, 1997)	Registered
RD PRO	United States	2133380 (75156315)	January 27, 1998 (August 26, 1996)	Registered
RED DEVIL	United States	0337409 (71375604)	August 4, 1936 (March 5, 1936)	Registered
RED DEVIL	United States	0409316 (71464733)	October 3, 1944 (November 4, 1943)	Registered
RED DEVIL	United States	0515716 (71554156)	September 27, 1949 (April 8, 1948)	Registered
RED DEVIL	United States	0921393 (72345673)	October 5, 1971 (December 8, 1969)	Registered
RED DEVIL	United States	0985263 (72429365)	June 4, 1974 (July 10, 1972)	Registered
RED DEVIL	United States	0984823 (72429367)	May 28, 1974 (July 10, 1972)	Registered
RED DEVIL	United States	1013988 (73007230)	June 24, 1975 (November 26, 1973)	Registered
RED DEVIL	United States	1042723 (73047526)	July 6, 1976 (March 24, 1975)	Registered
RED DEVIL	United States	1857671 (74448640)	October 11, 1994 (October 19, 1993)	Registered
RED DEVIL'S ADVOCATE	United States	0839606 (72254803)	November 28, 1967 (September 20, 1966)	Registered
SAVABRUSH	United States	0500110 (71528587)	April 20, 1948 (July 14, 1947)	Registered

Doc. #603144v.8

TRADEMARK
REEL: 003035 FRAME: 0482

Mark	Country	Registr. No. (App. No.)	Registr. Date (App. Date)	Status/Comments
SCHALK'S	United States	0816292 (72201969)	October 4, 1966 (September 15, 1964)	Registered
SCHALK'S SPOT GREASE REMOVER	United States	0788274 (72192328)	April 13, 1965 (April 29, 1964)	Registered
SLAMSCRAPER	United States	1581107 (73754449)	February 6, 1990 (September 27, 1988)	Registered
SPEED DEMON	United States	1035955 (72367685)	March 16, 1976 (August 11, 1970)	Registered
SPEED-DEMON	United States	0854145 (72278418)	August 6, 1968 (August 16, 1967)	Registered
STACK-A-CUBE	United States	2259701 (74695227)	July 6, 1999 (June 29, 1995)	Registered
STE-LIKE	United States	0263383 (71286209)	November 5, 1929 (June 26, 1929)	Registered
TAPE-MATE	United States	0751233 (72148843)	June 18, 1963 (July 11, 1962)	Registered
TILE PASTE	United States	0735174 (72129049)	July 31, 1962 (October 2, 1961)	Registered
TROJAN	United States	0438430 (71513821)	April 20, 1948 (December 6, 1946)	Registered
TROJAN	United States	0436755 (71524128)	February 17, 1948 (June 13, 1947)	Registered
TSP 90	United States	1042063 (73063532)	June 29, 1976 (September 17, 1975)	Registered
WINDO-ZIPPER	United States	1388842 (73558155)	April 8, 1986 (September 13, 1985)	Registered
ZIPAWAY	United States	0767090 (72156557)	March 24, 1964 (November 5, 1962)	Registered

Mark	Country	Registr. No. (App. No.)	Registr. Date (App. Date)	Status/Comments
KWICK KLAMP	United States	0787097 (72182356)	March 23, 1965 (December 4, 1963)	Registered
RED DEVIL	United States	0395584 (71449024)	June 2, 1942 (November 28, 1941)	Registered
RED DEVIL	United States	1736057 (74084842)	December 1, 1992 (August 3, 1990)	Registered
RED DEVIL TOOLS	United States	0424479 (71490398)	October 8, 1946 (October 23, 1945)	Registered
SPEED DEMON	United States	2182917 (75219078)	August 18, 1998 (December 27, 1996)	Registered

RELEASE OF SECURITY INTERESTS IN INTELLECTUAL PROPERTY

THIS RELEASE OF SECURITY INTERESTS IN INTELLECTUAL PROPERTY (this "Release") is made and entered into this 13 day of February, 2004 by and between RED DEVIL, INCORPORATED, a New Jersey corporation (the "Company"), and THE CIT GROUP/BUSINESS CREDIT, INC., a New York corporation ("CIT"). The Company and CIT may hereinafter at times be referred to collectively as the "Parties."

WITNESSETH

WHEREAS, pursuant to that certain Trademark and Patent Security Agreement dated as of November 14, 2002 made by the Company in favor of CIT (the "Security Agreement"), the Company granted to CIT a security interest in the Company's right, title and interest in and to (i) all of the Company's trademarks, service marks, trade names and trade styles, including, without limitation, those trademarks, service marks, trade names and trade styles set forth on Schedule A attached hereto (collectively, the "Trademarks"), (ii) the goodwill of the business symbolized by each of the Trademarks, including, without limitation, all records relating to the distribution of products or services bearing the Trademarks, (iii) all of the Company's patents and all applications, registrations and recordings relating to such patents, including, without limitation, those patents, applications, registrations and recordings set forth on Schedule B attached hereto (collectively, the "Patents"), and (iv) any and all proceeds of any of the foregoing, including, without limitation, any claims by the Company against third parties for infringement of the Trademarks, Patents or any licenses with respect thereto (all of the foregoing are collectively referred to herein as the "Collateral");

WHEREAS, the Company has requested that CIT release all of CIT's security interests in the Collateral, and CIT has agreed to do so.

NOW, THEREFORE, in consideration of the foregoing, and intending to be legally bound, the Parties hereby agree as follows:

1. Release of Security Interests. CIT hereby releases in its entirety any and all liens and security interests it has in or against the Collateral, and CIT hereby agrees to take any actions and to execute any further documents necessary or reasonably requested by the Company to effectuate or evidence such release, including, but not limited to, the execution and delivery of those documents necessary under Article 9 of the Uniform Commercial Code or other applicable law.

2. Recordation. The Parties hereto authorize and request the Commissioner of Patents and Trademarks of the United States to record this Release against the Trademarks and the Patents.

3. **Governing Law.** This Release shall be governed by and construed in accordance with the laws of the State of New Jersey without regard to principles of conflict of laws.

4. **Modification; Waiver.** This Release may not be modified, nor may any provision hereof be waived, orally or in any manner other than by an agreement in writing signed by the Parties hereto or their respective successors or assigns.

5. **Binding Effect.** All rights hereunder shall accrue to, and all obligations hereunder shall be binding upon, the heirs, representatives, successors, assigns and transferees of the Parties hereto.

6. **Counterparts.** This Release may be executed in any number of counterparts, each of which shall be deemed an original, and all of which taken together shall be deemed to constitute one and the same legal instrument.

IN WITNESS WHEREOF, the undersigned, intending to be legally bound hereby, have entered into this Release of Security Interests in Intellectual Property as of the date first above written.

**THE CIT GROUP/BUSINESS
CREDIT, INC.**

By: Michael Eggenberg
Name: MICHAEL EGGENBERG
Title: AVP

RED DEVIL, INCORPORATED

By: William S. Lee
Name: William S. Lee
Title: Chief Executive Officer

SCHEDULE A
TRADEMARKS

See Attached

3. **Governing Law.** This Release shall be governed by and construed in accordance with the laws of the State of New Jersey without regard to principles of conflict of laws.

4. **Modification; Waiver.** This Release may not be modified, nor may any provision hereof be waived, orally or in any manner other than by an agreement in writing signed by the Parties hereto or their respective successors or assigns.

5. **Binding Effect.** All rights hereunder shall accrue to, and all obligations hereunder shall be binding upon, the heirs, representatives, successors, assigns and transferees of the Parties hereto.

6. **Counterparts.** This Release may be executed in any number of counterparts, each of which shall be deemed an original, and all of which taken together shall be deemed to constitute one and the same legal instrument.

IN WITNESS WHEREOF, the undersigned, intending to be legally bound hereby, have entered into this Release of Security Interests in Intellectual Property as of the date first above written.

**THE CIT GROUP/BUSINESS
CREDIT, INC.**

By: Michael Eggenberg
Name: MICHAEL EGGENBERG
Title: AVP

RED DEVIL, INCORPORATED

By: William S. Lee
Name: William S. Lee
Title: Chief Executive Officer

SCHEDULE A
TRADEMARKS
See Attached

SCHEDULE A

TRADEMARKS

See Attached

SCHEDULE A

Red Devil, Incorporated
U.S Registered Trademarks and Pending Applications

Mark	Country	Registr. No. (App. No.)	Registr. Date (App. Date)	Status/Comments
"RED DEVIL"	United States	0335649 (71366305)	June 9, 1936 (June 17, 1935)	Registered
[DESIGN - DEVIL]	United States	0853505 (72245965)	July 30, 1968 (May 18, 1966)	Registered
[DESIGN - TOOL PICTURE WITH RED AND WHITE]	United States	1498327 (73646689)	August 2, 1988 (February 26, 1987)	Registered
[DESIGN - TOOL WITH BLUE TIP]	United States	0546576 (71579213)	August 14, 1951 (May 20, 1949)	Registered
AUTO SPERSE	United States	1185445 (73246745)	January 12, 1982 (January 18, 1980)	Registered
CAULK DEVIL	United States	2126018 (74712236)	December 30, 1997 (August 7, 1995)	Registered
CELULON	United States	1474987 (73666219)	February 2, 1988 (June 12, 1987)	Registered
D.I.Y.	United States	1033529 (73047364)	February 17, 1976 (March 21, 1975)	Registered
D.I.Y.	United States	1704588 (74171270)	August 4, 1992 (May 30, 1991)	Registered
D.I.Y.	United States	(76333395)	(November 2, 2001)	Pending
DRAGON SKIN	United States	0668527 (72046243)	October 21, 1958 (February 20, 1958)	Registered
DRESDEN	United States	0787769 (72186021)	April 6, 1965 (February 4, 1964)	Registered
EZ SCRAPER	United States	(76215442)	(February 23, 2001)	Pending
EZ SCRAPER PLUS	United States	(76215441)	(February 23, 2001)	Pending
FOAM & FILL	United States	(76215440)	(February 23, 2001)	Pending
HOUSE & HOME RESTORE	United States	(75603465)	(December 11, 1998)	Pending
IT'S ALL IN THE WHEEL	United States	0156055 (71151773)	June 13, 1922 (August 13, 1921)	Registered
JAK-NIFE	United States	0408537 (71468126)	August 15, 1944 (March 9, 1944)	Registered
LEWIS RED DEVIL DYE	United States	1473792 (73640344)	January 26, 1988 (January 20, 1987)	Registered
LIFETIME	United States	1138395 (73197148)	August 5, 1980 (December 18, 1978)	Registered

Doc. #603144v.8

TRADEMARK
REEL: 003035 FRAME: 0489

Mark	Country	Registr. No. (App. No.)	Registr. Date (App. Date)	Status/Comments
LIFETIME	United States	2289505 (75416929)	October 26, 1999 (January 12, 1998)	Registered
MAGNicator	United States	2068673 (75017438)	June 10, 1997 (November 1, 1995)	Registered
MASTERCUTTER	United States	1742767 (74114562)	December 29, 1992 (November 13, 1990)	Registered
ONE TIME	United States	1276975 (73384141)	May 8, 1984 (September 7, 1982)	Registered
ONETIME	United States	2169460 (75294549)	June 30, 1998 (May 19, 1997)	Registered
PATCH-A-WALL	United States	0988625 (72443375)	July 16, 1974 (December 11, 1972)	Registered
POLAR CAULK	United States	2289534 (75425414)	October 26, 1999 (January 29, 1998)	Registered
POWER GEL	United States	0938203 (72376615)	July 18, 1972 (November 19, 1970)	Registered
QUICK PAINT	United States	2242002 (75323754)	April 27, 1999 (July 14, 1997)	Registered
RD PRO	United States	2133380 (75156315)	January 27, 1998 (August 26, 1996)	Registered
RED DEVIL	United States	0337409 (71375604)	August 4, 1936 (March 5, 1936)	Registered
RED DEVIL	United States	0409316 (71464733)	October 3, 1944 (November 4, 1943)	Registered
RED DEVIL	United States	0515716 (71554156)	September 27, 1949 (April 8, 1948)	Registered
RED DEVIL	United States	0921393 (72345673)	October 5, 1971 (December 8, 1969)	Registered
RED DEVIL	United States	0985263 (72429365)	June 4, 1974 (July 10, 1972)	Registered
RED DEVIL	United States	0984823 (72429367)	May 28, 1974 (July 10, 1972)	Registered
RED DEVIL	United States	1013988 (73007230)	June 24, 1975 (November 26, 1973)	Registered
RED DEVIL	United States	1042723 (73047526)	July 6, 1976 (March 24, 1975)	Registered
RED DEVIL	United States	1857671 (74448640)	October 11, 1994 (October 19, 1993)	Registered
RED DEVIL'S ADVOCATE	United States	0839606 (72254803)	November 28, 1967 (September 20, 1966)	Registered
SAVABRUSH	United States	0500110 (71528587)	April 20, 1948 (July 14, 1947)	Registered

Doc. #603144v.8

TRADEMARK
REEL: 003035 FRAME: 0490

Mark	Country	Registr. No. (App. No.)	Registr. Date (App. Date)	Status/Comments
SCHALK'S	United States	0816292 (72201969)	October 4, 1966 (September 15, 1964)	Registered
SCHALK'S SPOT GREASE REMOVER	United States	0788274 (72192328)	April 13, 1965 (April 29, 1964)	Registered
SLAMSCRAPER	United States	1581107 (73754449)	February 6, 1990 (September 27, 1988)	Registered
SPEED DEMON	United States	1035955 (72367685)	March 16, 1976 (August 11, 1970)	Registered
SPEED-DEMON	United States	0854145 (72278418)	August 6, 1968 (August 16, 1967)	Registered
STACK-A-CUBE	United States	2259701 (74695227)	July 6, 1999 (June 29, 1995)	Registered
STE-LIKE	United States	0263383 (71286209)	November 5, 1929 (June 26, 1929)	Registered
TAPE-MATE	United States	0751233 (72148843)	June 18, 1963 (July 11, 1962)	Registered
TILE PASTE	United States	0735174 (72129049)	July 31, 1962 (October 2, 1961)	Registered
TROJAN	United States	0438430 (71513821)	April 20, 1948 (December 6, 1946)	Registered
TROJAN	United States	0436755 (71524128)	February 17, 1948 (June 13, 1947)	Registered
TSP 90	United States	1042063 (73063532)	June 29, 1976 (September 17, 1975)	Registered
WINDO-ZIPPER	United States	1388842 (73558155)	April 8, 1986 (September 13, 1985)	Registered
ZIPAWAY	United States	0767090 (72156557)	March 24, 1964 (November 5, 1962)	Registered

Doc. #603144v.8

Mark	Country	Registr. No. (App. No.)	Registr. Date (App. Date)	Status/Comments
KWICK KLAMP	United States	0787097 (72182356)	March 23, 1965 (December 4, 1963)	Registered
RED DEVIL	United States	0395584 (71449024)	June 2, 1942 (November 28, 1941)	Registered
RED DEVIL	United States	1736057 (74084842)	December 1, 1992 (August 3, 1990)	Registered
RED DEVIL TOOLS	United States	0424479		Registered

REEL: 003035 FRAME: 0491

Mark	Country	Registr. No. (App. No.)	Registr. Date (App. Date)	Status/Comments
KWICK KLAMP	United States	0787097 (72182356)	March 23, 1965 (December 4, 1963)	Registered
RED DEVIL	United States	0395584 (71449024)	June 2, 1942 (November 28, 1941)	Registered
RED DEVIL	United States	1736057 (74084842)	December 1, 1992 (August 3, 1990)	Registered
RED DEVIL TOOLS	United States	0424479 (71490398)	October 8, 1946 (October 23, 1945)	Registered
SPEED DEMON	United States	2182917 (75219078)	August 18, 1998 (December 27, 1996)	Registered

Doc. #603144v.8

TRADEMARK
REEL: 003035 FRAME: 0492

SCHEDULE B

PATENTS

See Attached

SCHEDULE B

Patents and Patent Applications

Title	Country	Patent No. (App. No.)	Issue Date (App. Date)	Status/Comments
Caulking gun cartridge nozzle	United States	D323,269 (850335)	January 21, 1992 (April 4, 1986)	Issued
Vibratory mixers	United States	5,066,136 (608023)	November 19, 1991 (October 29, 1990)	Issued
Trowel	United States	4,926,519 (335846)	May 22, 1990 (April 10, 1989)	Issued
Stud finder with one-piece magnet assembly	United States	4,896,131 (335748)	January 23, 1990 April 10, 1989)	Issued
Multi-canister tinter with lost-motion coupling	United States	4,792,236 (052381)	December 20, 1988 (May 21, 1987)	Issued
Combined hanger and handle for hand tools	United States	D282,716 (493759)	February 25, 1986 (May 11, 1983)	Issued
Dispenser with sniff device and method	United States	4,541,548 (523129)	September 17, 1985 (August 15, 1983)	Issued
Paint scraper	United States	D274,567 (377181)	July 3, 1984 (May 11, 1982)	Issued
Paint scraper	United States	D274,148 (377182)	June 5, 1984 (May 11, 1982)	Issued
Paint mixer container clamping device with inertially driven can rotating function	United States	4,415,270 (434741)	November 15, 1983 (October 18, 1982)	Issued
Self aligning pillar post for glass cutters	United States	4,383,460 (277873)	May 17, 1983 (June 26, 1981)	Issued
Ceramic tile cutter	United States	4,378,782 (259420)	April 5, 1983 (May 1, 1981)	Issued
Glass cutting tool	United States	D265,543 (188692)	July 27, 1982 (September 19, 1980)	Issued
Hand held glass cutter	United States	4,327,488 (180327)	May 4, 1982 (August 22, 1980)	Issued
Paint mixing and conditioning machine	United States	4,281,936 (093591)	August 4, 1981 (November 13, 1979)	Issued
Tool Handle	United States	D389,720 (058143)	January 27, 1998 (August 8, 1996)	Issued
Roll up tube dispenser with shell housing	United States	6,247,618 425563	June 19, 2001 (October 22, 1999)	Issued
Roll up tube dispenser apparatus	United States	5,960,994 (246681)	October 5, 1999 (February 8, 1999)	Issued
Snapped together tube and dispensing apparatus and method of making same	United States	5,685,457 (638532)	November 11, 1997 (April 26, 1996)	Issued

Doc. #603144v.8

TRADEMARK
REEL: 003035 FRAME: 0494

Title	Country	Patent No. (App. No.)	Issue Date (App. Date)	Status/Comments
Apparatus for dispensing collapsible tube contents and methods for use thereof	United States	5,097,987 (587738)	March 24, 1992 (September 25, 1990)	Issued

Doc. #603144v.8

RECORDED: 03/03/2004

TRADEMARK
REEL: 003035 FRAME: 0495