

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	RELEASE BY SECURED PARTY		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Credit Suisse, as First Lien Collateral Agent		10/26/2007	the Cayman Islands branch of a bank organized and existing under the laws of Switzerland:
RECEIVING PARTY DATA			
Name:	Excel Mining Systems LLC		
Street Address:	600 Boyce Dr., PO Box 263		
City:	Bowerston		
State/Country:	OHIO		
Postal Code:	44695		
Entity Type:	LIMITED LIABILITY COMPANY: DELAWARE		
PROPERTY NUMBERS Total: 2			
Property Type	Number	Word Mark	
Registration Number:	1436199	DOUBLE LOCK	
Registration Number:	1475626	HY TEC	
CORRESPONDENCE DATA			
Fax Number:	(202)756-8087		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
Email:	nward@mwe.com		
Correspondent Name:	Richard Y. Kim		
Address Line 1:	600 13th Street, N.W.		
Address Line 4:	Washington, DISTRICT OF COLUMBIA 20005		
ATTORNEY DOCKET NUMBER:	57000-030		
NAME OF SUBMITTER:	Richard Y. Kim		
Signature:	/Richard Y. Kim/		

CH \$65.00 1436199

Date:

11/02/2007

Total Attachments: 3

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**RELEASE OF SECURITY INTEREST IN
TRADEMARK COLLATERAL**

This RELEASE, dated as of October [20], 2007, is made by CREDIT SUISSE, as Collateral Agent (the "Collateral Agent"), pursuant to the termination of the First Lien Pledge and Security Agreement, dated as of July 30, 2007 (the "Security Agreement"), by and among Excel Mining Systems LLC, a Delaware limited liability company (the "Grantor"), Mining Systems Holding LLC, a Delaware limited liability company, and the Collateral Agent. Capitalized terms not otherwise defined herein have the meanings set forth in the Security Agreement.

WITNESSETH

WHEREAS, pursuant to the First Lien Trademark Security Agreement by and between the Grantor and the Collateral Agent, dated July 30, 2007 ("Trademark Security Agreement"), and recorded with the U.S. Patent and Trademark Office on July 30, 2007 at Reel/Frame No. 3589/0307, the Grantor granted the Collateral Agent a Lien on and security interest in and to all of its right, title and interest in, to and under all of its Intellectual Property, including the Trademarks, including all goodwill associated with such trademarks, and proceeds of any and all of the foregoing;

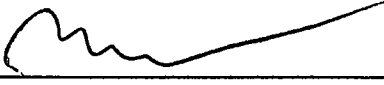
WHEREAS, the Grantor has requested that the Collateral Agent release its security interest in the Intellectual Property in connection with the termination of the Security Agreement;

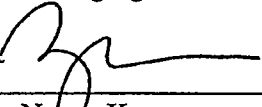
NOW, THEREFORE, in consideration of the foregoing, the Collateral Agent hereby RELEASES, without recourse, all of its Lien on and security interest in and to all of the Grantor's right, title and interest in, to and under the Intellectual Property listed on Schedule I attached hereto and incorporated herein by reference (the "Released Collateral") to the Grantor.

The Collateral Agent agrees to provide the Grantor with any additional authorization necessary to effect the release of its security interest in the Released Collateral.

IN WITNESS WHEREOF, the Collateral Agent has executed this Release as of the date first set forth above.

CREDIT SUISSE, CAYMAN ISLANDS BRANCH
as Collateral Agent

By: 
Name: James Moran
Title: Managing Director

By: 
Name: Nupur Kumar
Title: Associate

SCHEDULE I

U.S. REGISTERED TRADEMARKS AND TRADEMARK APPLICATIONS

Mark	App. Number App. Date	Reg. Number Reg. Date	Grantor
DOUBLE LOCK	73614476 August 13, 1986	1436199 April 14, 1987	Excel Mining Systems LLC
HY TEC	73665940 June 11, 1987	1475626 February 9, 1988	Excel Mining Systems LLC