

TCL*30

MALLESONS STEPHEN JAQUES

The Registrar of Trade Marks
IP Australia
PO Box 200
WODEN ACT 2606

IP Australia
17 FEB 2011

17 February 2011

By fax (02) 6283 7999

Dear Registrar

Wells Fargo Capital Finance, LLC
Trade Mark Nos. 25230, 33205, 52219, 52220, 86794, 161051, 350966, 381951, 514945, 609157,
609158, 609160, 633744, 669865, 669866, 677143, 702368, 719295, 730514, 730683, 747948,
766538, 779920, 787444, 796010, 799832, 901615, 1040132, 1286306, 1286307 in the name of
Exide Australia Pty Ltd
Application to record a claim to interest or right in a trade mark
Our ref: ARE.HHL.RDH:02-5503-7036

We enclose an application to record a claim by Wells Fargo Capital Finance, LLC to an interest in
the above trade marks on the Trade Marks Register.

Please confirm that IP Australia has recorded this claimed interest by way of a notice in due course.

Yours sincerely

for: Leslie Tilly
Special Counsel
Direct line +61 2 9296 2473
Email leslie.tilly@mallesons.com

Maurice Gonsalves
Partner
Direct line +61 2 9296 2166
Direct fax +61 2 9296 3999

Encl 1

*Endorsed
9:40 1-3-11*

Level 61 Governor Phillip Tower 1 Farrer Place Sydney NSW 2000 Australia
DX 113 Sydney ABN 22 041 424 954 syd@mallesons.com www.mallesons.com
10445199_1.DOC

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F +61 2 9296 3999

MALLESONS STEPHEN JAQUES

Trade Marks Act 1995

TM/07 (10/06)
section 113, 117**Application to record a claim to interest
or right in a Trade Mark**

Trade Mark Nos. 25230, 39205, 52219, 52220, 88794, 161051, 350968, 381951, 514945,
609157, 609158, 609160, 833744, 889885, 669868, 677143, 702368,
719295, 730514, 730683, 747948, 786538, 779920, 787444, 786010,
799832, 901615, 1040132, 1288308, 1286307

Owner/Applicant Exide Australia Pty Ltd
ACN 093272005
Address Level 1
293 Camberwell Road
Camberwell VIC 3124
Australia

Address for service (if different) Freehills Patent & Trade Mark Attorneys
Level 43
101 Collins Street
Melbourne VIC 3000
Australia

Telephone No +61 3 9288 1234**Fax No** +61 3 9288 1567

Claimant Wells Fargo Capital Finance, LLC
Address 1100 Abernathy Road
Suite 1600
Atlanta, GA 30328
UNITED STATES OF AMERICA

Address for service Mallesons Stephen Jaques
Governor Phillip Tower
1 Farrer Place
Sydney NSW 2000
Australia

Telephone No +61 2 9296 2000**Fax No** +61 2 9296 3999**Our reference** MLG.HHL.RDH:02-5503-7036

Application The Claimant has the following interest in the Trade Marks and requests that the following particulars pertaining to this interest or rights be recorded on the Register.

The Claimant has an interest in the Trade Marks as chargee arising from the following instrument between the Owner/Applicant (as chargor) and the Claimant (as chargee):

10444895_1

(a) Fixed and Floating Charge - All Assets and Undertaking dated on or about 26 January 2011.

Signature (Owner/Applicant)

Sign here



Date 25/01/2011

Print name

GRANT D BOLITHO

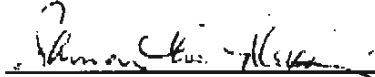
Capacity

Owner/Applicant Legal Representative

Person permanently employed by, and only by, the Owner/Applicant

Signature (Claimant)

Sign here



Date 26/01/2011

Print name

Samantha Alexander

Capacity

Owner/Applicant Legal Representative

Person permanently employed by, and only by, the Owner/Applicant

+61 3 9643 5999

TCC 1

X
35

KING & WOOD MALLESONS

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Bourke Place
600 Bourke Street
Melbourne VIC 3000
Australia

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www.kwm.com

24 June 2013

IP Australia
25 JUN 2013

Confidential communication

Registrar of Trade Marks
IP Australia
PO Box 200
WODEN ACT 2606

Fax (02) 6283 7999

Dear Sir

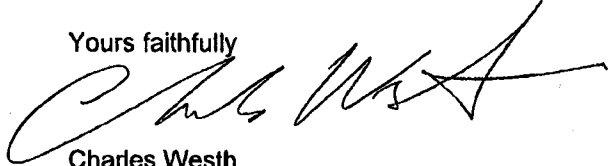
Removal of Claimed Interests

We act for the Financiers of Exide Australia Pty Limited.

We have been instructed to provide the attached letter to you which requests that the records of the trade marks detailed in the attached Appendix be updated to remove each security interest previously registered by Wells Fargo Capital Finance LLC.

If you have any questions in relation to this matter, please contact me on (03) 9643 4663.

Yours faithfully



Charles Westh
Solicitor
T +61 3 9643 4663
charles.westh@au.kwm.com

IP Australia
25 JUN 2013
RECEIVED FEP FAX

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**Wells Fargo Capital Finance LLC
1100 Abernathy Road, Suite 1600
Atlanta, Georgia 30328**

Registrar of Trade Marks
IP Australia
PO Box 200
WODEN ACT 2606

June 13, 2013

By Fax Only: 02 6283 7999

Dear Registrar

REMOVAL OF CLAIMED INTERESTS

We confirm that, with effect from June 13, 2013, Wells Fargo Capital Finance, LLC of 1100 Abernathy Road, Suite 1600, Atlanta GA 30328, United States of America, as agent on behalf of the lenders, does not have any interest in the trade marks detailed in the Appendix to this letter, which are owned by Exide Technologies and Exide Australia Pty Ltd, under the Fixed and Floating Charge - All Assets and Undertakings, dated on or around 26 January 2011.

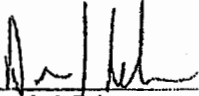
Accordingly, we request that the records of the relevant marks are updated to remove the claimed interest.

Yours Sincerely

[Signature page follows.]

+61 3 9643 5999

**WELLS FARGO CAPITAL FINANCE, LLC,
AS AGENT**

By: 
Name: Dennis J. Rebman
Its: Vice President

Australia IP Termination - WFCF

2

+61 3 9643 5999

Appendix

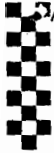
MARK	OWNER	REGISTRATION NO.
EXIDE	Exide Australia Pty Ltd	25230
TUDOR	Exide Australia Pty Ltd	33205
CHLORIDE	Exide Technologies	38525
EXIDE	Exide Australia Pty Ltd	52219
EXIDE	Exide Australia Pty Ltd	52220
MASSE TIGER	Exide Australia Pty Ltd	86794
EXIDE	Exide Australia Pty Ltd	350966
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GNB & Device	Exide Australia Pty Ltd	677143
POWERFILL & Device	Exide Australia Pty Ltd	702368

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GNB & Device	Exide Australia Pty Ltd	719295
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HiHeatAG9	Exide Australia Pty Ltd	779920
EXTREME	Exide Australia Pty Ltd	799832
EXIDE TECHNOLOGIES	Exide Technologies	854810
J SERIES & Device	Exide Technologies	981690
LIBERATOR	Exide Technologies	1026693
CLASSIC & Device	Exide Technologies	1027360
ELEMENT & Device	Exide Technologies	1135173
RESTORE & Device	Exide Technologies	1330021
GNB	Exide Australia Pty Ltd	1391051
GNB INDUSTRIAL POWER	Exide Australia Pty Ltd	1391053

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TCCI x 35



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www.kwm.com

1 July 2013

Confidential communication

Registrar of Trade Marks
IP Australia
PO Box 200
WODEN ACT 2606

Fax (02) 6283 7999



Dear Sir

Removal of Claimed Interests – Exide Technologies

Further to our fax dated 24 June 2013, we are again writing in our capacity as legal counsel to the Financiers of both Exide Technologies and Exide Australia Pty Limited.

As noted previously, we have been instructed to provide the attached letter to you to facilitate the release of certain security interests previously registered by Wells Fargo Capital Finance LLC ("Wells Fargo") against both Exide Technologies and Exide Australia Pty Limited.

From our searches conducted this morning, we note that as of the date of this letter only the Wells Fargo security interests in respect of Exide Australia Pty Limited have been released (with those interests against Exide Technologies remaining). We therefore request that, pursuant to the attached release letter, the records of the trade marks detailed in the attached Appendix in respect of Exide Technologies be updated to remove each security interest previously registered by Wells Fargo.

If you have any questions in relation to this matter, please contact me on (03) 9643 4663.

Yours faithfully

Charles Westh
Solicitor
T +61 3 9643 4663
charles.westh@au.kwm.com

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RECEIVED TIME 1. JUL. 12:22

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**Wells Fargo Capital Finance LLC
1100 Abernathy Road, Suite 1600
Atlanta, Georgia 30328**

Registrar of Trade Marks
IP Australia
PO Box 200
WODEN ACT 2606

June 13, 2013

By Fax Only: 02 6283 7999

Dear Registrar

REMOVAL OF CLAIMED INTERESTS

We confirm that, with effect from June 13, 2013, Wells Fargo Capital Finance, LLC of 1100 Abernathy Road, Suite 1600, Atlanta GA 30328, United States of America, as agent on behalf of the lenders, does not have any interest in the trade marks detailed in the Appendix to this letter, which are owned by Exide Technologies and Exide Australia Pty Ltd, under the Fixed and Floating Charge - All Assets and Undertakings, dated on or around 26 January 2011.

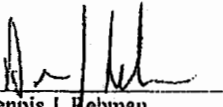
Accordingly, we request that the records of the relevant marks are updated to remove the claimed interest.

Yours Sincerely

[Signature page follows.]

+61 3 9643 5999

**WELLS FARGO CAPITAL FINANCE, LLC,
AS AGENT**

By: 
Name: Dennis J. Hebman
Its: Vice President

+61 3 9643 5999

Appendix

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GNB	Exide Australia Pty Ltd	1391051
GNB INDUSTRIAL POWER	Exide Australia Pty Ltd	1391053

IP Australia Service Request

Trade Mark Number
799832

Request Date & Time
21-Nov-2014 15:02:01

Submitting Party

Party Identifier	OBG5950722534
Agency Code	R3
Name	
Customer's Reference	1082902
Email	lynne.peach@minterellison.com

Record a Claimed Interest

Fees

FANG Batch Identifier 8005718

Fee # 1	Fee Code	TCI
	Fee Type	OTHER
	Fee Description	Record a Claimed Interest
	Number of Goods and Services Classes	1
	Fee Unit Count	1
	Fee Amount	\$0.00
	Calculation Date & Time	21-Nov-2014 14:59:51

Fee Total Amount \$0.00

Service Request Details

Channel WEB

Batch Identifier	STBI-0000464390
Batch Reference	1082902
Service Request Identifier	STEO-0000927254
Service Request Code	TZIR
Request Date & Time	21-Nov-2014 15:02:01
Customer's Reference	1082902
Application numbers	Customer's IP Right Reference
799832	1082902
Contact Details	
Phone	02 9921 4800

Customer Supplied Documents

Document Sequence	Document Type	Document File Name	Physical Media
1	Other	Marshall Power - Letter to IP Australia - 21 November 2014.pdf	No

21 November 2014

LEVEL 19 AURORA PLACE 88 PHILLIP STREET SYDNEY
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DX 117 SYDNEY www.minterellison.com
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The Registrar of Trade Marks
IP Australia
PO Box 200
Woden ACT 2606

Dear Madam

Request to record license agreement

We act for Marshall Power Australia Pty Ltd.

Our client wishes to record the licence rights it holds against Australian trade mark no. 799832 for EXTREME in the name of Exide Australia Pty Ltd. We ask that you record our client's licence rights against this Australian trade mark registration.

Please find **enclosed** the following documentation in support of this request:

1. Application to record a claim to interest or right in a trade mark; and
2. Trademark Acquisition and License Deed dated 17 January 2013 executed by both the claimant, Marshall Power Australia Pty Ltd and the trade mark owner, Exide Australia Pty Ltd.

Please let us know if you require any further information or have any questions.

We look forward to receiving your written confirmation that the recordal of our client's security interest has been processed accordingly.

Yours faithfully

MINTER ELLISON



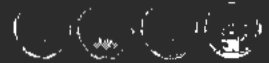
John Fairbairn
Partner

Contact: Gus Skavronskas Direct phone: +61 2 9921 8736 Direct fax: +61 2 9921 8123
Email: gus.skavronskas@minterellison.com
Partner responsible: John Fairbairn Direct phone: +61 2 9921 4590
Our reference: GZS:JAF 1082902

MINTER ELLISON GROUP AND ASSOCIATED OFFICES
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LONDON MELBOURNE PERTH SHANGHAI SYDNEY ULAANBAATAR WELLINGTON



Application to Record a Claim to Interest or Right in a Trade Mark



Personal Details of Applicant

(* denotes mandatory fields)

*Name	Exide Australia Pty Ltd		ACN/ARBN/ABN	093272005
*Address (can be a PO Box)	Level 1, 293 Camberwell Road, CAMBERWELL			
	Country (if not Australia)	State	VIC	Postcode 3124
2nd Applicant (if required)	ACN/ARBN/ABN			
Address (can be a PO Box)				
	Country (if not Australia)	State	Postcode	
<input type="checkbox"/> Additional applicant details attached				

*Address for Service (if different from the above address) Must be an address in Australia (can be a PO Box)

Address				
	State	Postcode		

OR

Agent Details (only complete if you are being represented by an Agent authorised to act on your behalf)

Name				
Address				
	State	Postcode		

Optional Details:

Telephone	()	Fax	()	Mobile Number	
Email Address				Customer Number	

By completing this form you consent to your personal information being handled in accordance with the Privacy Notice provided on page 1 of this form.

IP Australia publishes address details in our online databases and bulk data products. Please provide a post office box if you do not want your residential address to be published.

Once completed, this form can be lodged via the following methods:

- Online using eServices at www.ipaustralia.gov.au
- By Post to PO BOX 200, WODEN ACT 2606



Australian Government
IP Australia

Trade Marks Act 1995

Application to Record a Claim to Interest or Right in a Trade Mark



***Claimant's Details**

(*denotes mandatory fields)

Name: Marshall Power Australia Pty Ltd

Address: Level 10, 1 Margaret Street, SYDNEY

(can be a PO Box) Country (if not Australia) State NSW Postcode 2000

Address for Service - must be an address in Australia (can be a PO Box)

Address: Marshall Power Australia Pty Ltd

Level 10, 1 Margaret Street, SYDNEY State NSW Postcode 2 0 0 0

***Trade Mark No.** 799832 **In the name of** Exide Australia Pty Ltd

Personal Property Securities Register Notice

The national Personal Property Securities (PPS) Register is now the only place to register claimed security interests, such as mortgages, in trade marks. Registration is voluntary and legal advice may be required on whether a claimant should register their interest on the PPS Register. Existing security interests recorded on the Trade Marks Register will remain but are of no legal effect. IP Australia will continue to record new claimed interests on the Trade Marks Register if claimants wish to receive certain notifications under the Trade Marks Act 1995 (www.comlaw.gov.au/Series/C2004A04969). For more information on the PPS Register, visit www.ppsr.gov.au.

I provide the following document(s) in support of this request (tick the relevant box)

Mortgage Document PPS Verification Statement (registration certificate) Licensing Agreement

Other (eg Court Order) _____

Note: If you are not providing one of the above documents in support of your request, this application **must** be signed by both the Owner/Agent and Claimant.

Owner/Agent to complete (tick appropriate box)

I am the:

Applicant/Owner Legal Representative Patent Attorney or Trade Mark Agent

Person permanently employed by, and only by, the Applicant/Owner

Signature Name (print) Date

Claimant to complete (tick appropriate box)

I am the:

Claimant Legal Representative Patent Attorney or Trade Mark Agent

Person permanently employed by, and only by, the claimant

Signature Name (print) Date 21/11/14

Note: No fee applies to the filing of this form.

EXEMPT
Licensing Agreement
22 pages