

07-15-1999

Patent and Trademark Office

OMB No. 0651-0011 (exp. 4/94)



To the Honorable Commissioner of Pa

101091853

inal documents or copy thereof

1. Name of conveying party(ies):
Eimco Coal Machinery Inc.

MCO
7-13-99

2. Name and address of receiving party(ies)

Name: Eimco LLC

Internal Address:

Street Address: 1712 Coal Heritage Road

City: Bluefield State: WV ZIP: 24701-1100

Additional name(s) & address(es) attached? () Yes (x) No

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

3. Nature of conveyance:

- (X) Assignment () Merger
() Security Agreement () Change of Name
() Other

Execution Date: March 30, 1999

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

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)
909,243

B. Patent No.(s)
SEE ATTACHED SHEET

Additional numbers attached? (x) Yes () No

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

Name: PRICE & ADAMS

Internal Address:

Street Address: 4135 Brownsville Road

P.O. Box 98127

City: Pittsburgh State: PA ZIP: 15227

6. Total number of applications and patents involved: (33)

7. Total fee (37 CFR 3.41).....\$ 1,320.00

(x) Enclosed

1320E

() Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

07/14/1999 MTHA11 00000319 909243

DO NOT USE THIS SPACE

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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.

John M. Adams

Name of Person Signing

Signature

July 9, 1999

Date

Total number of pages including cover sheet, attachments, and document: (4)

Box PATENT APPLICATION, Assistant Commissioner of Patents
Washington, D.C. 20231

PATENT
REEL: 010086 FRAME: 0200

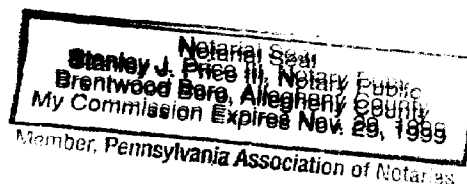
U.S. PATENTS

4,253,705	4,840,432
4,270,803	4,936,632
4,281,879	5,082,331
4,296,856	5,102,199
4,299,424	5,104,194
4,310,199	5,110,189
4,316,635	5,120,112
4,339,153	5,143,423
4,380,354	5,188,427
4,418,872	5,190,352
4,465,293	5,253,925
4,582,363	5,295,733
4,588,037	5,265,941
4,641,888	5,275,525
4,753,486	5,399,061
4,953,914	5,507,565

A S S I G N M E N T

The attached copy is a true and exact copy of the original executed assignment.

Stanley J. Price III
Notary Public



GENERAL DEED, BILL OF SALE AND ASSIGNMENT

THIS GENERAL DEED, BILL OF SALE AND ASSIGNMENT is made by EIMCO COAL MACHINERY INC. ("Seller") to EIMCO LLC ("Buyer") effective March 30, 1999.

WHEREAS, Seller desires to conduct its business in the form of a limited liability company rather than in its present corporate form and, therefore, has caused Buyer to be formed as a limited liability company under the laws of the State of Delaware, and has entered into a plan of reorganization in order to effectuate the change in form of organization.

NOW THEREFORE, in consideration of the foregoing and for value received, Seller does hereby grant, bargain, sell, transfer, assign, set over and convey to Buyer, all of Seller's right, title and interest in and to all of the assets, rights and properties, tangible and intangible, as the same may exist, used or usable in the conduct of the Seller's business, which are generally described in Exhibit A attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD all of the Exhibit A Assets together with all appurtenances and improvements thereunto belonging or in any way appertaining, unto Buyer, its successors and assigns, to its and their own use and behalf, forever, with covenant of good and marketable title.

Seller covenants with Buyer, its successors and assigns, that Seller will do, execute and deliver, or will cause to be done, executed and delivered, all such further acts, transfers, assignments, deeds, conveyances, powers of attorney and assurances,

for the better assuring, conveying and confirming the Assets to Buyer, its successors and assigns.

IN WITNESS WHEREOF, Seller has caused this General Deed, Bill of Sale and Assignment to be executed by its duly authorized officers on this day and date first hereinabove written.

EIMCO COAL MACHINERY INC.


Garry W. Marsden, President

Attest:

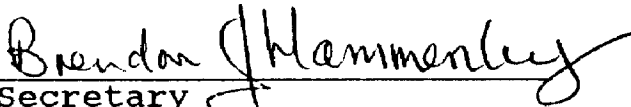

Secretary

EXHIBIT A TO GENERAL DEED, BILL OF SALE AND ASSIGNMENT
FROM EIMCO COAL MACHINERY INC. TO EIMCO LLC

TANGIBLE PERSONAL PROPERTY

1. All equipment, machinery, fixtures, furniture, inventory, vehicles and other tangible personal property of Seller.

INTANGIBLE PERSONAL PROPERTY

2. All goodwill, documents, instruments, books and records and all other intangible properties used or usable in the business of Seller.

CONTRACTS

3. All contacts, contact rights, license agreements, leases (whether as lessor or lessee), franchises and other private agreements under which Seller may operate.

TECHNICAL INFORMATION

4. All of Seller's rights to the trade secrets and confidential proprietary information, including, but not limited to, skill and know how, manufacturing processes, drawings, specifications, manuals and procedures, marketing materials, customer lists, and data used by Seller in the manufacture and sale of coal mining machinery and the exclusive right to use and to license the use of technical information in connection with the manufacture and sale of coal mining machinery under said trademarks.

PATENTS

5. All of the domestic and foreign patents owned by Seller including, but not limited to, the patents listed on the attached Schedule as well as all applications, registrations, extensions and renewals with respect thereto, and together with all rights of recovery for past infringements thereof.

TRADEMARKS

6. All the domestic and foreign registered and unregistered trademarks owned by Seller including, but not limited to, the trademarks listed on the attached Schedule, together with all trade names, labels, copyrights, trade dress and other rights relating thereto as well as all applications, registrations, extensions and renewals with respect thereto, and together with the good will of the business connected with and symbolized by said trademarks and all rights of recovery for past infringements thereof.

SCHEDULE

UNITED STATES

PATENTS AND APPLICATIONS

<u>PATENT OR APPLICATION NO.</u>	<u>ISSUED</u>	<u>TITLE</u>	<u>EXPIRES</u>
4,253,705	03-03-81	Continuous Mining Machine Having a Boom Member with a Fixed Material Dislodging Means	1999
4,270,803	06-02-81	Cutter Drum Drive Assembly for a Continuous Mining Machine	1999
4,281,879	08-04-81	Stabilizing Assembly for a Mining Machine	1999
4,296,856	10-27-81	Material Gathering Device for a Mining Machine	2000
4,299,424	11-10-81	Cutting Tool Assembly	1999
4,310,199	01-12-82	Cutter Drum Assembly for a Continuous Mining Machine	1999
4,316,635	02-23-82	Extensible and Retractable Rotor Arm Cutting Assembly	2000
4,339,153	07-13-82	Apparatus for Extending and Retracting the Cutter Bars of a Boring Type Mining Machine	2000
4,380,354	04-19-83	Mining Machine Boom Structure	2001
4,418,872	12-06-83	Feeder-Crusher Machine	2000
4,465,293	08-14-84	Vehicle Oscillation Lock	2002
4,582,363	04-15-86	Drive Assembly for Mining Machine Cutter Drum	2004
4,588,037	05-13-86	Turret for Roof Bolting Apparatus	2004
4,641,888	02-10-87	Material Gathering Device for a Mining Machine	2005
4,753,486	06-28-88	Mining Machine with Roof Bolting Apparatus	2007
4,953,914	09-04-90	Mining Machine with Roof Bolting Apparatus	2007

4,840,432	06-20-89	Continuous Miner	2007
4,936,632	06-26-90	Continuous Miner	2007
5,082,331	01-21-92	Continuous Miner	2009
5,102,199	04-07-92	Continuous Mining Machine with a Boom Assembly Providing Different Cutting Heights	2011
5,104,194	04-14-92	Continuous Miner with Improved Duct System	2011
5,110,189	05-05-92	Redundant Remote Control System Used on a Continuous Miner and Method of Using Same	2010
5,120,112	06-09-92	Vane Type Conveyor for a Mining Machine Drum	2011
5,143,423	09-01-92	Drum Assembly for a Continuous Miner	2011
5,188,427	02-23-93	Twin Scrubber & Air Diffuser for a Continuous Miner & Method of Ventilation	2011
5,190,352	03-02-93	Mining Machine with Cascading Conveyor System & Method of Conveying	2011
5,253,925	10-19-93	Method and Apparatus for Collecting and Removing Dust on a Mining Machine	2012
5,295,733	03-22-94	Fiber Optic Remote Control System Used on a Continuous Miner with Fiber Optic Cable Extending into a Water Hole	2011
5,265,941	11-30-93	Underground Mining System and Method for Developing Longwall Panel	2002
5,275,525	01-04-94	Battery Changer on a Mobile Machine	2012
5,399,061	03-21-95	Battery Changer on a Mobile Machine	2012
5,507,565	04-16-96	Method and Apparatus for Suppressing Dust and Frictional Ignition on a Continuous Mining Machine	2014

879,437	Pending Application	Conveyor Lift and Service Shoe Assembly	2017
887,069	Pending Application	Method and Apparatus for Extending the Cutter Drum of a Boring Machine	2017
909,243	Pending Application	Phasing Valve Assembly for Supplying Water to a Mining Machine Cutter Drum	2017