

11-15-1999

FILE NO. A32493 - 070015.0142

U.S. DEPARTMENT OF COMMERCE

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101234496

To the Honorable Commissioner of Patents and

I have attached original documents or copy thereof.

1. Name of conveying party(ies):

John G. Freshwater
Willard Calvin Hudson, Jr.
Clark Daniel Maytubby

Additional name(s) of conveying party(ies) attached?

☒ Yes ☐ No

2. Name and address of receiving party(ies)

Name: Elk Corporation of DallasAddress: 14643 Dallas ParkwaySuite 1000City: Dallas State: TX Zip: 75240-8871

Additional name(s) and address(es) attached?

☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name☐ Other _____Execution Date(s): October 20, 1999 (Freshwater,
Maytubby, Reed & Richey); October 22, 1999
(Hudson, & McLintock)

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)

09/401,392

B. Patent No.(s)

Additional numbers attached?

☐ Yes ☒ No

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

Name: John D. Murnane, Esq.BAKER & BOTTS, L.L.P.Address: 30 Rockefeller Plaza - 44 Fl.City: New York State: NY Zip: 10112

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41):

\$ 40.00☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number:

02-4377

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

11/12/1999 DNGUYEN 00000254 09401392

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9. Statement and signature

*To the best of my knowledge and belief, the foregoing instrumentation is true and correct and any attached copy is a true copy of the original document.*Leonardo Renna

Name of Person Signing

Signature

November 5, 1999

Date

Total number of pages including cover sheet, attachments and document: 7

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PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

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

10. Name of conveying party(ies):

Larry Scott Reed,
Frank Clydean Richey
Michael Allen McLintock

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

A. Patent Application No.(s)

B. Patent Registration No.(s)

Page 2 of 2

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

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A S S I G N M E N T

WHEREAS, WE, JOHN G. FRESHWATER, WILLARD CALVIN HUDSON, JR., CLARK DANIEL MAYTUBBY, LARRY SCOTT REED, FRANK CLYDEAN RICHEY and MICHAEL ALLEN MCLINTOCK, citizens of the United States of America, whose post office addresses are 9201 McInnes Blvd., Bakersfield, California 93311; 2321 Megan Way, Arlington, Texas 76016; 2480 Cabrillo Court, Hanford, California 93230; 9801 Green Oak Place, Bakersfield, California 93311; 5000 Nordic Drive #1, Bakersfield, California 93309; and 4117 Heartstone Drive, Grapevine, Texas 76051, respectively, have made an invention entitled "LAMINATED ROOFING SHINGLE" as set forth and described in application for Letters Patent of the United States of America, Serial No. 09/401,392, filed September 22, 1999; and

WHEREAS, ELK CORPORATION OF DALLAS, a corporation organized and existing under the laws of the State of Delaware, and having an office for the transaction of business at 14643 Dallas Parkway, Suite 1000, Dallas, Texas 75240-8871, is desirous of acquiring the entire right, title and interest in and to said invention and any improvements thereon, and in and to the said application for Letters Patent therefor, and any Letters Patent which may be obtained therefor;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN, BE IT KNOWN, that WE, the said JOHN G. FRESHWATER, WILLARD CALVIN HUDSON, JR., CLARK DANIEL MAYTUBBY, LARRY SCOTT REED, FRANK CLYDEAN RICHEY and MICHAEL ALLEN MCLINTOCK, for and in consideration of the sum of One Dollar (\$1.00), lawful money of the United States of America, to us in hand paid by said ELK CORPORATION OF DALLAS, and other valuable considerations unto us moving from said ELK CORPORATION OF DALLAS, at or before the ensealing and delivery of these presents, the receipt of which is hereby acknowledged, have sold, assigned, transferred and conveyed and by these presents do sell, assign, transfer and convey, unto said ELK CORPORATION OF DALLAS, its successors and assigns, the entire right, title and interest in and to the said invention entitled "LAMINATED ROOFING SHINGLE" as set forth and described in application for Letters Patent of the United States of America, Serial No. 09/401,392, filed September 22, 1999, and any and all improvements thereon, and in and to said application and any division, continuation or continuation-in-part thereof, and in and to any Letters Patent of the United States of America which may be issued on any of said applications, and any reissues thereof, and in and to any and all applications for Letters Patent filed in foreign countries for said invention or improvements including all priority rights, and any and all Letters Patent which may be granted in foreign countries therefor, TO HAVE AND TO HOLD THE

SAME to the full end of the term or terms for which any and all said Letters Patent may be granted;

AND WE, the said JOHN G. FRESHWATER, WILLARD CALVIN HUDSON, JR., CLARK DANIEL MAYTUBBY, LARRY SCOTT REED, FRANK CLYDEAN RICHEY and MICHAEL ALLEN MCLINTOCK, do hereby authorize and request the Commissioner of Patents and Trademarks to issue the said Letters Patent of the United States of America to said ELK CORPORATION OF DALLAS, as the assignee of the entire right, title and interest in and to the same, for the sole use and benefit of said ELK CORPORATION OF DALLAS, its successors and assigns;


AND WE, the said JOHN G. FRESHWATER, WILLARD CALVIN HUDSON, JR., CLARK DANIEL MAYTUBBY, LARRY SCOTT REED, FRANK CLYDEAN RICHEY and MICHAEL ALLEN MCLINTOCK, for the considerations aforesaid, do hereby covenant and agree to and with said ELK CORPORATION OF DALLAS, its successors and assigns, that we have the full power to make this assignment, and that the rights assigned are not encumbered by any grant, license or right heretofore given, and that we, our executors or administrators, shall and will do all lawful acts and things and make, execute and deliver without further compensation, any and all other instruments in writing, further applications, papers, affidavits, powers of attorney, assignments, and other documents which, in the opinion of counsel for said ELK CORPORATION OF DALLAS, its successors and assigns, may be required or necessary more effectively to secure to and vest in said ELK CORPORATION OF DALLAS, its successors and assigns, the entire right, title and interest in and to said invention and improvements, applications, Letters Patent, rights, titles, benefits, privileges, and advantages hereby sold, assigned, transferred and conveyed, and that we will sign any applications for reissue which may be desired by the owner of the patent or patents which may be issued for the said invention or improvements.

IN WITNESS WHEREOF, WE, the said JOHN G. FRESHWATER, WILLARD CALVIN HUDSON, JR., CLARK DANIEL MAYTUBBY, LARRY SCOTT REED, FRANK CLYDEAN RICHEY and MICHAEL ALLEN MCLINTOCK, have hereunto set our hands and seals on the date below written.

DATED: 10-20-97


JOHN G. FRESHWATER

DATED: 10/32/99


WILLARD CALVIN HUDSON JR.

DATED: 10/20/99


CLARK DANIEL MAYTUBBY

DATED: 10-20-99


LARRY SCOTT REED

DATED: 10-20-99


FRANK CLYDEAN RICHEY

DATED: 10-22-99


MICHAEL ALLEN MCCLINTOCK

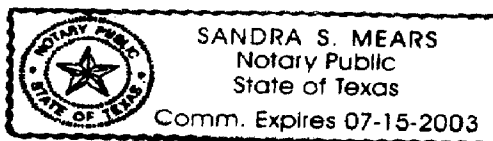
STATE OF *California*)
) ss.:
 COUNTY OF *Kern*)



BE IT KNOWN, that on this 20 day of October, 1999, before me personally came JOHN G. FRESHWATER, to me known and known to me to be the person mentioned in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed for the use and purposes therein mentioned.

Tracy Beth Bell
 Notary Public

STATE OF *Texas*)
) ss.:
 COUNTY OF *DALLAS*)



BE IT KNOWN, that on this 22nd day of October, 1999, before me personally came WILLARD CALVIN HUDSON, JR., to me known and known to me to be the person mentioned in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed for the use and purposes therein mentioned.

Sandra S. Mears
 Notary Public

STATE OF *California*)
) ss.:
 COUNTY OF *Kern*)



BE IT KNOWN, that on this 20 day of October, 1999, before me personally came CLARK DANIEL MAYTUBBY, to me known and known to me to be the person mentioned in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed for the use and purposes therein mentioned.

Tracy Beth Bell
 Notary Public

STATE OF *California*)
) ss.:
 COUNTY OF *Kern*)



BE IT KNOWN, that on this 20 day of October, 1999, before me personally came LARRY SCOTT REED, to me known and known to me to be the person mentioned in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed for the use and purposes therein mentioned.

Tracy Beth Bell
 Notary Public

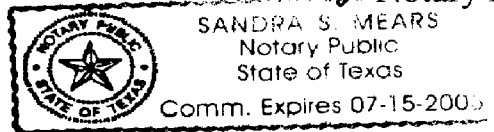
STATE OF *California*)
) ss.:
 COUNTY OF *Kern*)



BE IT KNOWN, that on this 20 day of October, 1999, before me personally came FRANK CLYDEAN RICHEY, to me known and known to me to be the person mentioned in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed for the use and purposes therein mentioned.

Tracy Beth Bell
 Notary Public

STATE OF *TEXAS*)
) ss.:
 COUNTY OF *DALLAS*)



BE IT KNOWN, that on this 20th day of October, 1999, before me personally came MICHAEL ALLEN MCLINTOCK, to me known and known to me to be the person mentioned in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed for the use and purposes therein mentioned.

Sandra S. Mears
 Notary Public