

04-23-2001



101682337

ORDINATION FORM COVER SHEET  
PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark

Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Evans Deakin PTY LTD

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

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other
- Merger
- Change of Name

Execution Date: January 23, 2001

2. Name and address of receiving party(ies):

1. Name: Terex Mining Australia PTY Limited

Internal Address: 10 Hazelhurst Street, Kewdale  
Western Australia, 6105 Australia

2. Name: \_\_\_\_\_

Internal Address: \_\_\_\_\_

3. Name: \_\_\_\_\_

Internal Address: \_\_\_\_\_

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

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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):

B. Patent No.(s):

5772135

Additional numbers attached?  Yes  No

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

Victor M. Tannenbaum, Esq.

Internal Address and Phone Number:

ABELMAN, FRAYNE & SCHWAB  
Attorneys at Law  
150 East 42<sup>nd</sup> Street  
New York, New York 10017  
(212) 949-9022

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:

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

DO NOT USE THIS SPACE

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.

Victor Tannenbaum  
Name of Person Signing

Signature

4/10/01

Date

Total number of pages including cover sheet, attachments and document: 5

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments

DEED OF ASSIGNMENT

WHEREAS, EVANS DEAKIN PTY LTD, a company organized and existing under the laws of New South Wales, with an office at 12 Boundry Street, South Brisbane, Queensland, 4101 Australia (hereinafter called the ASSIGNOR), is the sole and exclusive owner of the letters patent(s) in the United States of America, and for applications for letters patent(s) in the United States of America as set forth on the attached Schedule.

WHEREAS, TEREX MINING AUSTRALIA PTY LIMITED a company organized and existing under the laws of New South Wales, located at 10 Hazelhurst Street, Kendale, Western Australia, 6105 Australia (hereinafter called the ASSIGNEE) is desirous of acquiring the right, title and interest in, to and under the said letters patent(s), applications for letters patent(s) and the inventions covered thereby.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN, Be it known that for and in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, the said ASSIGNOR sells, assigns, transfers and sets over to ASSIGNEE, the said inventions and the letters patent(s) aforesaid, and any reissue or reissues of said letters patent(s) already granted and which may be granted on said applications, the same to be held and enjoyed by ASSIGNEE for its own use and enjoyment, and for the use and enjoyment of its successors, assigns, or other legal representatives, to the end of the term or terms of which said letters patent(s) of the United States are or may be granted or reissued, as fully and entirely as the same would have been held and enjoyed by Assignor, if this assignment and sale had not been made; together with all claims for damages by reason of past infringement of said letters patent(s), with the right to sue for, and collect the same for its own use and behalf, and for the use and behalf of its successors, assigns or other legal representatives.

And, ASSIGNOR, hereby authorizes and requests the Commissioner of Patents to issue any and all letters patent(s) of the United States on said inventions or resulting from said applications or any division or divisions thereof to ASSIGNEE as assignee of the entire interest.

In Testimony Whereof, ASSIGNOR, has caused these presents to be signed by its officer thereunto duly authorized, and its corporate seal to be hereto affixed.

EVANS DEAKIN PTY LTD

By [Signature]  
Title Attorney

Attest:  
  
\_\_\_\_\_

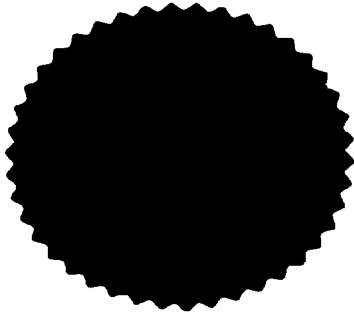
SCHEDULE

PATENT NO.  
5772135

NOTARIAL CERTIFICATE - Company

On this 23<sup>rd</sup> day of January 2001, before me personally  
appeared Rex BARBER, to me known, who, being by me  
duly sworn, did depose and say that he/~~she~~ is the ATTORNEY of the  
Evans Deakin Pty Ltd company described in and which executed the foregoing document and that he/~~she~~ signed  
his/~~her~~ name thereto.

(Notarial Seal)



Dale J. Kemp

Notary Public

Dale James Kemp  
Notary Public