

FORM PTO-1595  
(Rev. 6-93)U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeRECORDATION FORM COVER SHEET  
PATENTS ONLYTo the Commissioner of Patents  
Please record the attached original documents or copy thereof.

ATTN.: BOX ASSIGNMENT

## 1. Name of conveying parties:

Sandvik Partnership, Inc.  
(a Delaware corporation)

Additional name(s) &amp; address(es) attached? No

## 2. Name and address of receiving party:

Sandvik MGT LLC  
(a Delaware Limited Liability Company)  
P.O. Box 639  
Bristol, VA 24203Additional name(s) & address(es) attached?  
Yes ☒ No

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

## 3. Nature of conveyance:

☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_Execution Date: August 26, 2003

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

A. Patent Application No.(s)

B. Patent No.(s)

5,043,019  
5,236,499  
5,436,396  
5,934,990  
5,993,116

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

## 6. Total number of applications and patents involved: 5

Name: Catherine R. Howell, Paralegal  
Address: Morgan, Lewis & Bockius LLP  
Attn.: TMSU  
1111 Pennsylvania Avenue, N.W.  
City: Washington State: DC Zip: 200047. Total fee (37 C.F.R. §3.41): \$40.00  
☒ Authorized to be charged to deposit account 13-4520  
☐ Debit insufficiency or credit over payment to Deposit Account No. 13-45208. Deposit account number: 13-4520  
Attach duplicate of page if paying by deposit account

## 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.

Catherine R. Howell, Paralegal  
Name of Person SigningCatherine R. Howell  
SignatureAugust 27, 2003  
DateTotal number of pages including cover sheet, attachments and documents: 5

CH \$200.00 134520 5043019

## ASSIGNMENT AGREEMENT

This Assignment Agreement ("Agreement") is made as of the 26<sup>th</sup> day of August, 2003 by and between Sandvik Partnership, Inc, a Delaware corporation ("Sandvik Partnership") and Sandvik MGT LLC, a Delaware limited liability company (f/k/a Eimco LLC and referred to herein as "MGT").

WHEREAS, effective as of January 1, 1999, Sandvik Rock Tools, Inc. ("Rock Tools") transferred its CPD division to MGT;

WHEREAS, effective as of September 30, 1999, Rock Tools merged with and into Sandvik Partnership; and

WHEREAS, the parties desire to clarify and confirm that the transfer of the CPD division to MGT included the assignment to MGT of the patents listed on Schedule A attached hereto (the "Patents").

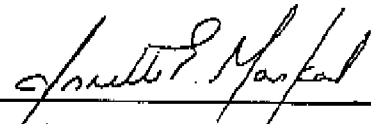
NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, Sandvik Partnership, as successor in interest to Rock Tools, hereby assigns and transfers to MGT, its successors and assigns, any and all of Sandvik Partnership's right, title and interest in, to and under the Patents, as well as divisions, renewal and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all Letters Patent which may be granted for said Patents in any country or countries foreign to the United States and all extensions, renewals and reissues thereof and all rights of priority in any such country or countries based upon the filing of the Patents in the United States which are created by any law, treaty or international convention (all of which shall be included in the term "Patents"); and Sandvik Partnership hereby authorizes and requests the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on any such applications as aforesaid, to issue all Letters Patent for said inventions to MGT, its successor and assigns, in accordance with the terms of this instrument.

AND Sandvik Partnership does hereby covenant that it has full right to convey the entire interest herein assigned, and that Sandvik Partnership has not executed, and will not execute, any agreement in conflict herewith.

AND Sandvik Partnership does further hereby covenant and agree that it will communicate to MGT its successors and assigns, any facts known to it respecting the Patents, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything reasonable to aid MGT, its successors and assigns, to obtain any attendant rights in all countries.

IN WITNESS WHEREOF, the parties have caused this instrument to be signed by duly authorized corporate officers as of the date first above written.

Sandvik Partnership, Inc.

By:   
Its: Treasurer

Sandvik MGT LLC

By: \_\_\_\_\_  
Its: \_\_\_\_\_

Sandvik Partnership, Inc.

By: \_\_\_\_\_

Its: \_\_\_\_\_

Sandvik MGT LLC

By:  \_\_\_\_\_

Its:  \_\_\_\_\_

## Schedule A

## Patents

<u>Registration No.</u>	<u>Issue Date</u>	<u>Name of Inventor</u>	<u>Title</u>
5,043,019	August 27, 1991	Raymond R. Chervenak, C. Dempsey Holstein and Timothy Shean	composition for use as a sealant or coating for concrete block walls
5,236,499	August 17, 1993	Raymond R. Chervenak, C. Dempsey Holstein, and Ronald L. Paxton	sprayable composition for use as a sealant or coating for various surfaces, especially concrete block walls
5,436,396	July 25, 1995	Phillip E. Bailey, Timothy J. Shean, and Raymond R. Chervenak	method of stabilizing a subterranean formation which includes introducing a stabilizing composition into a subterranean formation
5,934,990	August 10, 1999	John E. Steffenino, Timothy J. Shean, C. Dempsey Holstein, Jr., and Joseph C. Zelanko	mine stopping
5,993,116	November 30, 1999	Ronald L. Paxton, Joseph C. Zelanko and Timothy J. Shean	rock bolt anchoring system and a method of use thereof

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**Morgan Lewis**  
C O U N S E L O R S   A T   L A W

**FAX MESSAGE****Send To:**

Name:	Assignment Division	FAX Number:	Right Fax Turnaround:
Firm:	U.S. Patent and Trademark Office	Telephone Number:	703-306-5995
			703.308.9723

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**From:**

Name	Catherine R. Howell, Paralegal	Floor:	5	Operator Sending:
Telephone Number:	202.739.5652	Time Sent:		Date Sent: 9/4/2003

Number of Pages (INCLUDING COVER PAGE): 7

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**Note:**

THE INFORMATION CONTAINED IN THIS FAX MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE RECIPIENT(S) NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

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**Comments:** Our Ref.: 042866-0182

Morgan, Lewis & Bockius LLP  
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Catherine R. Howell  
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202-739-5652  
chowell@morganlewis.com

**Morgan Lewis**  
C O U N S E L O R S   A T   L A W

September 3, 2003

**VIA FACSIMILE**

Commissioner for Patents  
2900 Crystal Drive  
Arlington, Virginia 22202-3513  
**Attention: Assignment Branch**

Re:    Recordation of Sandvik Assignment as to Five Patents  
      Our Ref.: 042866-0182

Dear Sir or Madam:


I enclose a Patent Assignment Agreement between Sandvik Partnership, Inc. (assignor) and Sandvik MGT LLC (assignee) for recording at the Assignment Branch.

The document is being filed to update record title to the five patents listed on the enclosed Recordation Form Cover Sheets in compliance with the Patent and Trademark Office Rules.

The fee in connection with this filing should be charged to the deposit account of Morgan, Lewis & Bockius LLP, Account No. 13-4520.

Please contact me if there are any questions regarding this matter. Thank you for your assistance.

Sincerely,



Catherine R. Howell  
Paralegal

Enclosures

cc:    Robert R. Stephenson (w/encls.)