

06-30-2003

Form PTO-1595

(Rev. 10/02)

OMB No. 0651-0027 (exp. 6/30/2005)

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J.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

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

1. Name of conveying party(ies):
James A. Kirk

2. Name and address of receiving party(ies)

Name: New Enterprise Stone & Lime Co.

Internal Address: _____

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

3. Nature of conveyance:



Assignment



Merger



Security Agreement



Change of Name



Other _____

Street Address: 301 Plum Creek RoadCity: Roaring Spring State: PA Zip: 16673Execution Date: December 23, 2002Additional name(s) & address(es) attached? ☐ Yes ☒ No

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)

10/314,534

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

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

Name: James M. SingerInternal Address: Pepper Hamilton LLPStreet Address: 500 Grant Street, 50th FloorCity: Pittsburgh State: PA Zip: 152196. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41).....\$ 40.00

Enclosed



Authorized to be charged to deposit account

8. Deposit account number:

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

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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.*James M. Singer Reg. No. 45,111

Name of Person Signing

Signature

6-20-03

Date

Total number of pages including cover sheet, attachments, and documents: 3

06/27/2003 ECOOPER 00000320 10314534

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

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PATENT
REEL: 014208 FRAME: 0691

ASSIGNMENT

WHEREAS We, Dexter J. Fowler of Bedford, Pennsylvania; Saul A. Erech of Delaware Water Gap, Pennsylvania; and James A. Kirk of Hyattsville, Maryland, (hereinafter called "Assignors") have made a certain new and useful invention as set forth and disclosed in an application for United States Letters Patent, entitled CARGO RACK which (check one): ☐ is being filed with the United States Patent and Trademark Office herewith, or ☐ was filed with the United States Patent and Trademark office on _____, as application serial number _____;

AND WHEREAS, New Enterprise Stone & Lime Co., Inc., a Delaware corporation, having an address of 301 Plum Creek Road, Roaring Spring, PA 16673 (hereinafter called "Assignee"), is desirous of acquiring the entire right, title and interest in and to said invention and in and to any and all Letters Patent of the United States and foreign countries that may be obtained therefor;

NOW, THEREFORE, for good and valuable consideration, the receipt for and sufficiency of which is hereby acknowledged, Assignors do hereby sell, assign, transfer and set over unto Assignee, its legal representatives, successors, and assigns, the entire right, title and interest in and to said invention as set forth in the above-mentioned application, including any future utility application, continuations, continuations-in-part, divisions, reissues, re-examinations or extensions thereof, and in and to any and all patents of the United States and foreign countries which may be issued for said invention;

UPON SAID CONSIDERATION, Assignors hereby agree with the said Assignee that Assignors will not execute any writing or do any act whatsoever conflicting with these presents, and that Assignors will, at any time upon request, without further or additional consideration but at the expense of said Assignee, execute such additional assignments and other writings and do such additional acts as said Assignee may deem necessary or desirable to perfect the Assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, utility, divisional, continuations, continuations-in-part, reexamined, reissued, or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or choses in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of the assigns and legal representatives of Assignors and Assignee;

The undersigned hereby grant(s) the firm of PEPPER HAMILTON LLP the power to insert on this Assignment any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

AND Assignors request the Commissioner of Patents and Trademarks to issue any Letters Patent of the United States that may be issued for said invention to said New Enterprise Stone & Lime Co., Inc., its legal representatives, successors or assigns, as the sole owner of the entire right, title and interest in and to said patent and the invention covered thereby.

Date: Dec 23, 2002

James A. Kirk
James A. Kirk

STATE OF MARYLAND)

COUNTY OF MONTGOMERY) SS:

On this 23rd day of DEC, 2002, before me personally appeared JAMES A. KIRK to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and purposes therein set forth.

S E A L

Stephen Lee
Notary Public

My commission expires 01/01/2005