

PATENT ASSIGNMENT

Electronic Version v1.1

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SUBMISSION TYPE:	NEW ASSIGNMENT												
NATURE OF CONVEYANCE:	ASSIGNMENT												
CONVEYING PARTY DATA													
<table border="1"><thead><tr><th>Name</th><th>Execution Date</th></tr></thead><tbody><tr><td>Scott Ternovits</td><td>02/09/2006</td></tr><tr><td>Gravity Tank, Inc.</td><td>02/09/2006</td></tr></tbody></table>		Name	Execution Date	Scott Ternovits	02/09/2006	Gravity Tank, Inc.	02/09/2006						
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Scott Ternovits	02/09/2006												
Gravity Tank, Inc.	02/09/2006												
RECEIVING PARTY DATA													
<table border="1"><tr><td>Name:</td><td>OMX, Inc.</td></tr><tr><td>Street Address:</td><td>101 Convention Center Drive</td></tr><tr><td>Internal Address:</td><td>Suite 850</td></tr><tr><td>City:</td><td>Las Vegas</td></tr><tr><td>State/Country:</td><td>NEVADA</td></tr><tr><td>Postal Code:</td><td>89109</td></tr></table>		Name:	OMX, Inc.	Street Address:	101 Convention Center Drive	Internal Address:	Suite 850	City:	Las Vegas	State/Country:	NEVADA	Postal Code:	89109
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PROPERTY NUMBERS Total: 1													
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CORRESPONDENCE DATA													
Fax Number: (503)228-9446 <i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>													
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ATTORNEY DOCKET NUMBER:	7094-72571-01												
NAME OF SUBMITTER:	Jeffrey B. Haendler												
Total Attachments: 3 source=72571-01 Assignment#page1.tif													

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PATENT
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ASSIGNMENT

WHEREAS, I, Scott Ternovits, of 2926 W. Leland Ave., Chicago, Illinois, have invented a certain design, entitled PEN AND CAP THEREFOR, for which U.S. Design Patent Application No. 29/254,078 (attorney reference No. 7094-72571-01) was filed on 02/15/2006; and

WHEREAS, OfficeMax Incorporated, a corporation organized under the laws of the State of Delaware, having a place of business at 1111 W. Jefferson Street, Boise, Idaho 83728-0001, has engaged and paid Gravity Tank, Inc. ("Gravity Tank"), a corporation organized under the laws of the State of Illinois, having a place of business at 212 W. Superior Street, Suite 404, Chicago, Illinois, 60610, for design and other services relating to the development of the invention; and


WHEREAS, OMX, Inc. ("OMX"), a corporation organized under the laws of the State of Nevada, having a place of business at 101 Convention Center Drive, Suite 850, Las Vegas, Nevada 89109, and which is a wholly owned subsidiary of OfficeMax North America, Inc., which is a wholly owned subsidiary of OfficeMax Incorporated, is desirous of acquiring an interest therein:

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, Scott Ternovits and Gravity Tank (collectively referred to hereinafter as the "Assignors"), hereby sell, assign and transfer to OMX, the full and exclusive right, title and interest in and to said design patent application, and all design patent rights pertaining to said invention throughout the world, including foreign priority rights; said invention, application and letters patent in this or any foreign country, and all divisions, continuations, reissues and extensions thereof, to be held and enjoyed by OMX, for its own use and benefit, and for its successors and assigns to the full end of the term for which letters patent may be granted in this or any foreign country, as fully and entirely as the same would have been held by the Assignors had this assignment and sale not been made, and covenant that the Assignors have full right so to do, and agree that to communicate to OMX, or its successors and assigns, any facts known to the

Assignors respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths, and do everything possible to aid OMX, its successors and assigns to obtain and enforce proper patent protection for said invention in this or any foreign country.

The Assignors hereby grant the law firm of Klarquist Sparkman, LLP, the power to insert on this Assignment any further information which may be necessary or desirable (including, but not limited to, the serial number and filing date of the U.S. application) in order to comply with all applicable legal requirements, including the rules of United States Patent and Trademark Office, for submitting and recording this document.

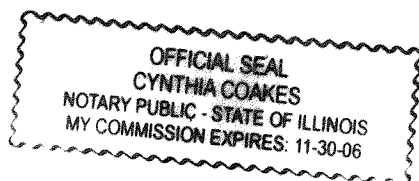
Executed at CHICAGO, State of Illinois, this 9 day of FEB, 2006.



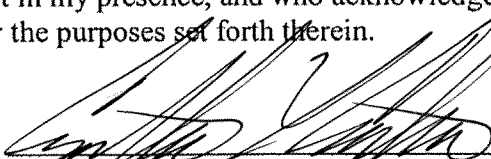
Scott Ternovits

STATE OF ILLINOIS)
)
COUNTY OF Cook) ss.

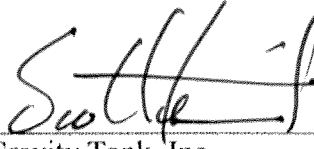
This 9th day of February, 2006, before me personally came the above-named Scott Ternovits, who executed the foregoing instrument in my presence, and who acknowledged to me that he executed the same of his own free will for the purposes set forth therein.



[SEAL]



Notary Public For
My commission expires:



Gravity Tank, Inc.
By Scott Ternovits, Vice President of
Design

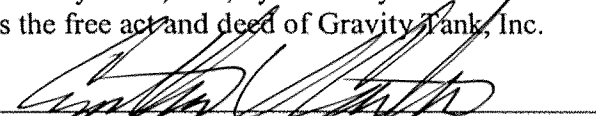
At CHICAGO IL
(City and State)
on this 9 day of FEB, 2006.

STATE OF)
COUNTY OF) ss.

This 9th day of February, 2006, before me personally appeared Scott Ternovits, who being duly sworn did say that he is the Vice President of Design of Gravity Tank, Inc. and that the foregoing instrument was signed on behalf of Gravity Tank, Inc., by authority of its Board of Directors, and acknowledged that the instrument is the free act and deed of Gravity Tank, Inc.



[SEAL]



Notary Public For
My commission expires: