

PATENT ASSIGNMENT

Electronic Version v1.1

Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	NUNC PRO TUNC ASSIGNMENT
EFFECTIVE DATE:	08/23/2005
CONVEYING PARTY DATA	
Name	Execution Date
Fording Inc.	08/21/2006
RECEIVING PARTY DATA	
Name:	Beachpoint Holdings Inc.
Street Address:	P.O. Box 100
Internal Address:	c/o Fording River Operations
City:	Elkford
State/Country:	CANADA
Postal Code:	V0B 1H0
PROPERTY NUMBERS Total: 2	
Property Type	Number
Application Number:	10220942
Patent Number:	5948157
CORRESPONDENCE DATA	
Fax Number:	(914)993-0668
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	
Phone:	(914)949-7210
Email:	rodrod@rodman-rodman.com
Correspondent Name:	Charles Rodman
Address Line 1:	7 South Broadway
Address Line 4:	White Plains, NEW YORK 10601
ATTORNEY DOCKET NUMBER:	RR-521/RR-367; IT# 534
NAME OF SUBMITTER:	Charles B. Rodman
Total Attachments: 11	

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PATENT
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THIS CONFIRMATORY ASSIGNMENT No. 4 is made effective as of August 23, 2005.

BETWEEN:


FORDING INC., a corporation governed by the laws of Canada,

Suite 1000, 205 Ninth Avenue SE
Calgary, Alberta, Canada T2G 0R3

(the "Assignor")

- and -

NOTARIAL COPY
**I hereby certify this to be
a true copy of the original**


HELEN GARWASIUK
Barrister & Solicitor
Notary Public for Alberta, Canada

BEACHPOINT HOLDINGS INC., a corporation governed by the laws of the
Province of British Columbia, Canada,

P.O. Box 100
c/o Fording River Operations
Elkford, British Columbia, Canada V0B 1H0

(the "Assignee")

RECITALS:

- A. On August 23, 2005, the Assignor entered into a conveyance agreement with the Assignee (the "**General Conveyance Agreement**") whereby the Assignor transferred all of its interest in its "Transferred Assets" (as defined in the General Conveyance Agreement) to the Assignee.
- B. The intellectual property registrations made with various patent and trademark offices were not updated when this transfer occurred.
- C. The Parties now wish to update the intellectual property registrations, by filing this Confirmatory Assignment with the appropriate patent and trademark offices.

THEREFORE, the Parties agree as follows:

- 1 The Assignor hereby confirms that it has granted, transferred, conveyed, assigned and set over to the Assignee effective August 23, 2005, its entire estate, right, title, interest, property, claim, demand and benefit in and to the patents, applications for patent, trade-mark registrations and trade-mark applications identified in Schedule "A".

2. The Assignor, on behalf of itself and its successors, assigns, nominees or other legal representatives, does hereby covenant and agree to do all such lawful acts and things and to execute and deliver without further consideration such further lawful assignments, instruments, assurances, applications and other documents as may reasonably be required by said Assignee, or by its successor, assigns, nominees, or other legal representatives, to obtain said letters patent and registrations and vest or secure the same in the Assignee, and in the Assignee's successors, assigns, nominees or other legal representatives.
3. The Assignor, on behalf of itself and its successors, assigns, nominees, or other legal representatives, does hereby authorize the Assignee, its successors, assigns, nominees, or other legal representatives, to amend the present assignment document to insert or correct the filing date, serial number or other identifying information of the patents and trademarks as may be needed to record same.

[The remainder of this page intentionally left blank.]

IN WITNESS OF WHICH the Parties have duly executed this Agreement.

FORDING INC.

By: _____

Name: _____

James F. Jones

Title: _____

Corporate Secretary

BEACHPOINT HOLDINGS INC.

By: _____

Name: _____

James F. Jones

Title: _____

Corporate Secretary

SCHEDULE "A"

(a) PATENTS

(i) Title – Permeable Composition, Controlled Release Product and Methods for the Productions Thereof

Inventor – Mikhail Pildysh

Arising from PCT International Application No. PCT/CA01/00301

International Filing Date – March 8, 2001

Priority Claimed – Canadian Application No. 2,300,237 filed March 9, 2000

AUSTRALIA

Australian Patent No. – 2001239067

Grant Date – April 6, 2006

Application No. – 2001239067

Filing Date – March 8, 2001

Priority Date – March 9, 2000

CANADA

Application No. – 2,402,212

Filing Date – March 8, 2001

Priority Date – March 9, 2000

EUROPE

Application No. – 01913438.6

Filing Date – March 8, 2001

Priority Date – March 9, 2000

INDIA

Application No. – IN/PCT/2002/00911/DEL

Filing Date – March 8, 2001

Priority Date – March 9, 2000

(E) MEXICO

Application No. – PA/a/2002/009946

Filing Date – March 8, 2001

Priority Date – March 9, 2000

(F) NEW ZEALAND

Patent No. – 521429

Granted – September 9, 2004

Application No. – 521429

Filing Date – March 8, 2001

Priority Date – March 9, 2000

UNITED STATES OF AMERICA

Application No. – 10/220,942
Filing Date – March 8, 2001
Priority Date – March 9, 2000

(ii) **Title – Surface Treated Additive for Portland Cement Concrete**

Inventors – Colin J. McKenny, Mikhail Pildysh and Donald J. Shyluk
Arising from PCT International Application No. PCT/CA97/00943
International Filing Date – December 9, 1997
Priority Claimed – U.S. Application No. 08/763,088 filed December 10, 1996

(A) AUSTRALIA

Patent No. – 713940
Issue Date – March 30, 2000
Application No. – 199852198
Filing Date – December 9, 1997
Priority Date – December 10, 1996

(B) BRAZIL

Application No. – PI 9713900-9
Filing Date – December 9, 1997
Priority Date – December 10, 1996

CANADA

Patent No. – 2,272,408
Issue Date – July 1, 2003
Application No. – 2,272,408
Filing Date – December 9, 1997
Priority Date – December 10, 1996

CHINA

Patent No. – 97180423.0
Issue Date – May 21, 2003
Application No. – 97180423.0
Filing Date – December 9, 1997
Priority Date – December 10, 1996

(E) CZECH REPUBLIC

Patent No. – 294864
Issue Date – February 2, 2005
Application No. – PV 2001-99
Filing Date – December 9, 1997
Priority Date – December 10, 1996

(F) EUROPE

Patent No. – EP 0952971B
Granted – February 2, 2005
Application No. – 97946984.8
Filing Date – December 9, 1997
Priority Date – December 10, 1996

HUNGARY

Patent No. – 223 303
Issue Date – August 16, 2004
Application No. – P 00 01820
Filing Date – December 9, 1997
Priority Date – December 10, 1996

INDONESIA

Application No. – W-990671
Filing Date – December 9, 1997
Priority Date – December 10, 1996

(I) JAPAN

Patent No. – 3431635
Issue Date – May 23, 2003
Application No. – 10-526035
Filing Date – December 9, 1997
Priority Date – December 10, 1996

KOREA (REPUBLIC OF)

Patent No. – 0342323
Issue / Registration Date – June 17, 2002
Application No. – 1999-7005117
Filing Date – December 9, 1997
Priority Date – December 10, 1996

MEXICO

Patent No. – 209538
Issue / Registration Date – July 26, 2002
Application No. – 995220
Filing Date – December 9, 1997
Priority Date – December 10, 1996

NEW ZEALAND

Patent No. – 336554
Issue Date – June 8, 2000
Application No. – 336554
Filing Date – December 9, 1997
Priority Date – December 10, 1996

NORWAY

Application No. – 19992829
Filing Date – December 9, 1997
Priority Date – December 10, 1996

POLAND

Application No. – P 333913
Filing Date – December 9, 1997
Priority Date – December 10, 1996

RUSSIA

Patent No. – 2,167,839
Issue Date – February 27, 2001
Application No. – 99114779
Filing Date – December 9, 1997
Priority Date – December 10, 1996

SINGAPORE

Patent No. – 65522
Issue Date – August 22, 2000
Application No. – 9902343-4
Filing Date – December 9, 1997
Priority Date – December 10, 1996

SLOVAKIA

Application No. – PV 748-99
Filing Date – December 9, 1997
Priority Date – December 10, 1996

UKRAINE

Patent No. – 54477

Issue Date – March 17, 2003

Application No. – 99063654

Filing Date – December 9, 1997

Priority Date – December 10, 1996

(S) YUGOSLAVIA

Application No. – P-260/99

Filing Date – December 9, 1997

Priority Date – December 10, 1996

(T) UNITED STATES OF AMERICA

Patent No. – 5,948,157

Issue Date – September 7, 1999

Application No. – 09/763,088

Filing Date – December 10, 1996

Title – Surface Treated Additive for Portland Cement Concrete

(iii) Title – Recovery Process for High Aspect Ratio Materials

Inventor – Neil A. McMinn

Arising from PCT International Application No. PCT/CA2003/001211

International Filing Date – August 8, 2003

CANADA

Application No. – 2,534,092

Filing Date – August 8, 2003

(B) UNITED STATES OF AMERICA

Application No. – 10/566,900

Effective Filing Date – August 8, 2003

U.S. Filing Date – February 1, 2006

(C) MEXICO

Application No. – PA/a/2006/001457

Filing Date – August 8, 2003

CHINA

Application No. – 200380110437.0

Filing Date – August 8, 2003

RUSSIA

Application No. – 2006106927
Filing Date – August 8, 2003

EUROPE

Application No. – 03817897.6
Filing Date – August 8, 2003

(G) **SOUTH AFRICA**

Application No. – 2006/01131
Filing Date – August 8, 2003

BRAZIL

Application No. – PI0318458-7
Filing Date – August 8, 2003

(I) **INDIA**

Application No. – 01125/DELNP/2006
Filing Date – August 8, 2003

(b) **TRADEMARKS**

(i) **“NYCAL”**

MEXICO

Trademark – NYCAL
Trademark Registration No. – 888,443
Registration Date – June 27, 2005
Application No. – 403904
Filing Date – December 16, 1999

(ii) **“AGRI-CAPSULE”**

CANADA

Trademark – AGRI-CAPSULE
Applicant – Fording Inc.
Application No. – 1,155,506
Filing Date – October 10, 2002

(iii) **“DURA-CAPSULE”**

(A) CANADA

Trademark – DURA-CAPSULE

Registered Owner – Fording Inc.

Trademark Registration No. – 556,166

Registration Date – January 9, 2002

Application No. – 1049741

Filing Date – March 8, 2000

AFFIDAVIT OF EXECUTION

**CITY OF CALGARY
PROVINCE OF ALBERTA
TO WIT:**

)
)

**I, Michelle Wiggins, of the
City of Calgary, in the Province
of Alberta, MAKE OATH AND SAY:**


THAT I was personally present and did see **James F. Jones** who is the person named in the Confirmatory Assignment between **Fording Inc. and Beachpoint Holdings Inc.** ("Confirmatory Assignment No. 4") and who is personally known to me to be the person named therein, duly sign and execute the Confirmatory Assignment No. 4.

- 2 THAT **James F. Jones**, is authorized and empowered to execute the said Confirmatory Assignment No. 4 on behalf of **Fording Inc.** in his capacity as **Corporate Secretary**, and on behalf of **Beachpoint Holdings Inc.** in his capacity as **Corporate Secretary**.
- 3 THAT the same was executed at the City of Calgary, in the Province of Alberta and that I am the subscribing witness thereto.
- 4 THAT **James F. Jones** acknowledged that he executed the foregoing Confirmatory Assignment No. 4 as his free act and deed.
- 5 THAT I know **James F. Jones** and he is, in my belief, of the full age of eighteen (18) years.

SWORN BEFORE ME at the City of
Calgary, in the Province of Alberta, this
21 day of August, 2006.


NOTARY PUBLIC IN AND FOR THE
PROVINCE OF ALBERTA

ROBERT J. DOUGLAS
Barrister and Solicitor


Michelle Wiggins