

# PATENT ASSIGNMENT

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SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	Release of Patent Security Interest recorded at Reel / Frame No. 008251/0537
CONVEYING PARTY DATA	
Name	Execution Date
U.S. Bank National Association, formerly known as Star Bank, National Association	12/14/2006
RECEIVING PARTY DATA	
Name:	Excel Mining Systems, Inc.
Street Address:	600 Boyce Dr., PO Box 263
City:	Bowerston
State/Country:	OHIO
Postal Code:	44695
PROPERTY NUMBERS Total: 2	
Property Type	Number
Patent Number:	5259703
Patent Number:	5230581
CORRESPONDENCE DATA	
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ATTORNEY DOCKET NUMBER:	030786-0286 PAT. RELEASE
NAME OF SUBMITTER:	Pamela Pascual
Total Attachments: 3 source=Executed Release of Patent Security Interest Agreement#page1.tif source=Executed Release of Patent Security Interest Agreement#page2.tif source=Executed Release of Patent Security Interest Agreement#page3.tif	

OP \$80.00 5259703

**PATENT**

**500205246**

**REEL: 018731 FRAME: 0540**

## **RELEASE OF PATENT SECURITY INTEREST AGREEMENT**

This RELEASE, dated as of December 14, 2006, (the "Release") is made by U.S. Bank National Association, formerly known as Star Bank, National Association, as Administrative Agent ("U.S. Bank"), in favor of Excel Mining Systems, Inc., a Delaware Corporation ("Excel Mining"), as follows:

### **W I T N E S S E T H**

WHEREAS, pursuant to the Security Agreement dated as of May 28, 1996, Excel Mining, granted U.S. Bank a security interest ("Security Interest") in its patents and all applications therefor, technology and know-how, and all licenses, royalties and other monies relating thereto in the Patent Collateral (as defined in the Patent Security Agreement and including, without limitation, the patents and patent applications on Schedule A attached hereto);

WHEREAS, the Patent Security Agreement was recorded with the United States Patent and Trademark Office on December 20, 1996 at Reel/Frame No. 008251/0537;

WHEREAS, Excel Mining has requested that U.S. Bank release its security interest in all right, title and interest of U.S. Bank in and to the patents and all applications therefor, technology and know-how, and all licenses, royalties and other monies relating thereto, set forth in Schedule A.

NOW, THEREFORE, U.S. Bank, without recourse, representation or warranty and at Excel Mining Systems' sole cost and expense, hereby TERMINATES and RELEASES all of its right, title and interest in and to the security interests granted to U.S. Bank pursuant to the Patent Security Agreement in each of the patents set forth in Schedule A, attached hereto and incorporated herein by reference and the registrations of and applications for said patents.

U.S. Bank agrees to provide Excel Mining with any information and additional authorization necessary to effect the release of U.S. Bank's security interest in the Released Collateral.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, U.S. Bank has caused this Release to be duly executed and delivered by its duly authorized officer as of the date first written above.

U.S. Bank National Association,  
as Administrative Agent

By: Joseph J. Scaglione  
Name: JOSEPH J. SCAGLIONE  
Title: VICE PRESIDENT

CERTIFICATION OF ACKNOWLEDGMENT

STATE OF OHIO )  
COUNTY OF MONTGOMERY) ss:

Before me, the undersigned, a Notary Public in and for the county aforesaid, on this 14<sup>th</sup> day of December, 2006, personally appeared Joseph Scaglione who, being by me duly sworn, deposes and says that he/she is the Vice President of U.S. Bank National Association, and that he/she, as such officer being duly authorized so to do, executed the foregoing instrument for the purposes therein contained as his/her free act and deed and as the full act and deed of such corporation as such officer.

[Signature]  
Notary Public

**L. MCMAHAN, Notary Public**  
Montgomery County, State of Ohio  
My Commission Expires 7/8/09

My Commission Expires:  
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**SCHEDULE A  
TO  
RELEASE OF SECURITY INTEREST  
IN PATENT COLLATERAL**

**Reel/Frame No. 008251/0537**

TITLE	App. No.	Patent No.
MINE ROOF BOLT	08010357	5259703
COUPLING APPARATUS FOR A T-SHAPED TUBE UNIT	07892071	5230581