

09-18-2000

SHEET

Docket No.:



NLY 8.18.00

4187.0704

101458801

Tab settings

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

1. Name of conveying party(ies): Klockner KHS, Inc.

Individual(s) Association
 General Partnership Limited Partnership
 Corporation-State Delaware
 Other _____

Additional names(s) of conveying party(ies) Yes No

2. Name and address of receiving party(ies):

Name: Klockner KHS, Inc.

Internal Address: _____

Street Address: 880 Bahcall Court

City: Waukesha State: WI ZIP: 53188

Individual(s) citizenship _____
 Association _____
 General Partnership _____
 Limited Partnership _____
 Corporation-State Wisconsin
 Other _____

If assignee is not domiciled in the United States, a domestic designation is Yes N
(Designations must be a separate document from
Additional name(s) & address(es) Yes N

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other _____

Execution Date: 9 August 2000

4. Application number(s) or registration numbers(s):

A. Trademark Application No.(s)

Additional numbers

B. Trademark Registration No.(s)

1,646,632

Yes No

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

Name: Laura Dable

Internal Address: Ryan Kromholz & Manion, S.C.

Street Address: P O Box 26618

City: Milwaukee State: WI ZIP: 53226

6. Total number of applications and registrations involved:..... 1

7. Total fee (37 CFR 3.41):.....\$ \$40.00

Enclosed
 Authorized to be charged to deposit account

8. Deposit account number:

06.2360

9/18/2000 BMSUYEN 00000227 1646632
1 FC:401 40.00 DP

DO NOT USE THIS SPACE

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.

Laura A. Dable, Reg. No. P-46,436 Laura A. Dable 11 August 2000
Name of Person Signing Signature Date

Total number of pages including cover sheet, attachments, and 5

ASSIGNMENT

Klockner KHS, Inc., of 880 Bahcall Court, Waukesha, Wisconsin 53188, a corporation of the State of Delaware, being the owner by adoption and use of the following trademark: CONTIMIX, Registration No. 1,646,632;

In consideration of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged;

Hereby sells, assigns, and transfers to Klockner KHS, Inc., of 880 Bahcall Court, Waukesha, Wisconsin 53188, a corporation of the State of Wisconsin, its successors and assigns, the entire right, title and interest in and to the said trademarks and the registrations thereof, together with the assets and goodwill of the business connected with the use of, and symbolized by, said marks and every right connected therewith, including all rights to damages and other remedies for past infringement of each identified trademark.

Assignor warrants that it is the sole owner of all rights referred to in this agreement and has secured them from any and all parties that have claimed, or may claim, or that might claim such rights by, through, or under said Assignor. Assignor further warrants that it has not abandoned the trademark(s) through non-use of said mark(s). This Assignment, including the terms and conditions contained within this Assignment, represents the complete and total agreement between the parties with regard to the assignment of said trademark(s). Any and all previous discussions or understandings with regard to said trademark(s), whether written or oral, are of no effect. This Assignment is to be interpreted according to the laws of the State of Wisconsin.

The undersigned, Hans D. Deubel, declares: that he is the President of assignor corporation and is authorized to execute this Assignment on behalf of said corporation.

Witness the hand and seal of said Assignor this 9th day of AUGUST, 2000.

KLOCKNER KHS, INC.
By: [Signature]
Hans D. Deubel, President

STATE OF WISCONSIN)
) SS
COUNTY OF Waukesha)

Personally came before me this 9th day of August, 2000, the above named Hans D. Deubel, the President of Klockner KHS, Inc., to me known to be the person who executed the foregoing Assignment, and acknowledged that he executed the foregoing Assignment as such officer as the free act and deed of said corporation, and by its authority.

[Signature]
Notary Public
My Commission expires: 4/1/2004

[SEAL]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COMBINED DECLARATION OF USE IN COMMERCE AND APPLICATION FOR
RENEWAL OF REGISTRATION OF MARK UNDER 15 U.S.C. §§ 1058 AND 1059

Mark: CONTIMIX
Reg. No: 1,646,632
Reg. Date: 4 June 1991
Class: Int. Class 07
Atty. Docket No. 4187.0704

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

Klockner KHS, Inc.,
a Wisconsin corporation
doing business at
880 Bahcall Court
Waukesha, Wisconsin 53188

Declaration of Use in Commerce

The above-identified owner is using the mark in commerce on or in connection with all of the goods recited in the registration, as evidenced by the attached specimen(s) showing the mark as currently used in commerce.

Request for Renewal

The registrant requests that Reg. No. 1,646,632 be renewed in accordance with the provisions of Section 9 of the Act of July 5, 1946 for all of the goods recited in the registration.

POWER OF ATTORNEY

Applicant hereby appoints Attorneys Daniel D. Ryan, Reg. No. 29,243; Joseph A. Kromholz, Reg. No. 34,204; John M. Manion, Reg. No. 38,957; Allan O. Maki, Reg. No. 20,623; Patricia Jones, Reg. No. 46,318; Laura A. Dable, Reg. No. P-46,436; and Daniel R. Johnson, Reg. No. 46,204; RYAN KROMHOLZ & MANION, S.C., P.O. Box 26618 Milwaukee, Wisconsin 53226-0618, phone (262) 783-1300, members of the Bar of the State of

Wisconsin, as its domestic representatives and attorneys until this appointment is cancelled or replaced, to prosecute this application for renewal and declaration of use in commerce, to transact all business in the Patent and Trademark Office in connection therewith, to receive certificates of renewal, and to receive notice or service of process in proceedings affecting the mark, and directs that all communications in this application be addressed to said attorneys.

PREFERRED CORRESPONDENCE ADDRESS

Applicant requests that all correspondence be directed to the following attorney:

Laura A. Dable
RYAN KROMHOLZ & MANION, S.C.
P.O. Box 26618
Milwaukee, Wisconsin 53226-0618

(262) 767-6700

DECLARATION

The undersigned declarant, Hans D. Duebel, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom, declares that declarant is President of registrant/owner and is properly authorized to execute this document of behalf of registrant/owner; that all statements made herein of declarant's own knowledge are true and that all statements made on information and belief are believed to be true.

Dated this 9th day of AUGUST, 2000.

KLOCKNER KHS, INC.

By: 

Hans D. Deubel, President