

9/3/02

09-05-2002

Form PTO-1594

(Rev. 03.01)

OMB No. 0651-0027 (exp. 5/31/2002)



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U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

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):
Coltec Industries Inc.

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

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

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other Nunc pro tunc assignment effective as of December 31, 1999

Execution Date: August 23, 2002

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

Name: Coltec North Carolina Inc.
Internal
Address: Four Coliseum Centre
Street Address: 2730 Tyvola Road
City: Charlotte State: NC Zip: 28217

Individual(s) citizenship _____
 Association _____
 General Partnership _____
 Limited Partnership _____
 Corporation-State North Carolina
 Other: _____

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No (Designations must be a separate document from assignment) Additional name(s) & address(es) attached? Yes No

4. Application number(s) or registration number(s):
A. Trademark Application No.(s)

B. Trademark Registration No.(s)
1589729

Additional number(s) attached Yes No

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

Name: Andrew Roppel, Esq.
Internal Address: Kilpatrick Stockton LLP
Street Address: 1001 West Fourth Street
City: Winston-Salem State: NC Zip: 27101

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

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.

Andrew Roppel
Name of Person Signing

Andrew Roppel
Signature

August 27, 2002
Date

Total number of pages including cover sheet, attachments, and document: 4

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Mail document to be recorded with required cover sheet information to:
Commissioner of Patent & Trademarks, Box Assignments
Washington, D.C. 20231

51382-273835
WINLIB01 965223.1

TRADEMARK
REEL: 002575 FRAME: 0744

TRADEMARK ASSIGNMENT
NUNC PRO TUNC

WHEREAS, Coltec Industries Inc., a Pennsylvania corporation having a place of business at 3 Coliseum Centre, 2550 West Tyvola Road, Charlotte, North Carolina 28217 (“ASSIGNOR”), is the record owner of the mark DURAKING, registered in the U.S. Patent and Trademark Office under Registration No. 1589729 (the “Mark”); and

WHEREAS, Coltec Industries Inc. assigned, conveyed, and transferred on December 31, 1999 the Mark and the registration thereof, together with the goodwill of the business connected with the Mark and the registration thereof, unto Coltec North Carolina Inc., a North Carolina corporation now dissolved and formerly having a mailing address at Four Coliseum Centre, 2730 Tyvola Road, Charlotte, North Carolina 28217 (“ASSIGNEE”); and

WHEREAS, Coltec Industries Inc. wishes to confirm its transfer of the Mark and the registration thereof, together with the goodwill of the business connected with the Mark and the registration, to Coltec North Carolina Inc. in a form acceptable for recordation by the U.S. Patent and Trademark Office; and

WHEREAS, Coltec North Carolina Inc. wishes to confirm its acquisition of the Mark and the registration thereof, together with the good will of the business connected with the Mark and the registration, from Coltec Industries Inc. in a form acceptable for recordation by the U.S. Patent and Trademark Office;

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, Coltec Industries Inc. does assign, convey, and transfer unto Coltec North Carolina Inc. the entire right, title, and interest in and to said Mark and the said registration thereof, including the right to sue for damages and other remedies in respect of any infringement of the Mark which may have occurred before the effective date of this assignment, together with the goodwill of the business

symbolized by said Mark. This Assignment is expressly made NUNC PRO TUNC, this Assignment to have the same legal force and effect as if executed on December 31, 1999.

IN WITNESS WHEREOF, ASSIGNOR and ASSIGNEE have caused this Assignment to be duly executed by the undersigned authorized representatives.

**COLTEC INDUSTRIES INC.
(ASSIGNOR)**

By: John R Mayo
Printed Name: John R. Mayo
Title: Assistant Secretary
Date: 8/23/02

**COLTEC NORTH CAROLINA INC.
(ASSIGNEE)**

By: John R Mayo
Printed Name: John R. Mayo
Title: Assistant Secretary
Date: 8/23/02

STATE OF NORTH CAROLINA)
)
COUNTY OF MECKLENBURG)

I, KANDACE HEINTZELMAN, a Notary Public for said County and State, do hereby certify that JOHN R. MAYO personally appeared before me this day and acknowledged that he executed the foregoing Trademark Assignment on behalf of said ASSIGNOR and pursuant to authority duly received.

WITNESS my hand and notarial seal or stamp, this the 23rd day of August, 2002.

Kandace Heintzelman
Notary Public

My Commission Expires:

November 1, 2006

STATE OF NORTH CAROLINA)
)
COUNTY OF MECKLENBURG)

I, KANDACE HEINTZELMAN, a Notary Public for said County and State, do hereby certify that JOHN R. MAYO personally appeared before me this day and acknowledged that he executed the foregoing Trademark Assignment on behalf of said ASSIGNEE and pursuant to authority duly received.

WITNESS my hand and notarial seal or stamp, this the 23rd day of August, 2002.

Kandace Heintzelman
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