

06-19-1998



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To the Honorable Commissioner of Patents and Trademarks Please Record

or copy thereof.

5-29-98
MAG

1. Name of conveying party(ies):

ETI EXPLOSIVES

___ Individual(s) ___ Association
___ General Partnership ___ Limited Partnership
___ Corporation-State
X Other Partnership

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

3. Nature of conveyance:

X Assignment ___ Merger
___ Security Agreement ___ Change of Name
___ Other

Execution Date: March 26, 1997

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

Name: ETI CANADA INC.

Internal Address: P.O. Box 610, BCE Place
Canada Trust Tower, Suite 3840

Street Address: 161 Bay Street

City: Toronto, Ontario. M5J 2S1 CANADA

___ individual(s) citizenship
___ Association
___ General Partnership
___ Limited Partnership
X Corporation-State Ontario
___ Other

If assignee is not domiciled in the United States, a domestic representative designation is attached: X Yes ___ No

(Designations must be a separate document from Assignment)

Additional name(s) & address(es) attached? ___ Yes X No

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

A. Trademark Application No.(s):

B. Trademark Registration No.(s): 1,689,543

Additional numbers attached? ___ Yes X No

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

Name: William G. Barber

Internal Address: Arnold, White & Durkee

Street Address: P.O. Box 4433

City: Houston State: Texas Zip: 77210

6. Total number of applications and registrations involved: 1

7. Total fee (37 C.F.R. 3.41) \$ 40.00

X Enclosed
___ Authorized to be charged to deposit account if check insufficient or inadvertently omitted

8. Deposit account number: 01/2508/BRSK:119/BAR

(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.

Rose A. Hagan
Name of Person Signing

Rose A. Hagan
Signature

05/26/98
Date

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

Mail documents to be recorded with required cover sheet information to:

U.S. Patent and Trademark Office
Office of Public Records
Crystal Gateway 4, Room 335
Washington, D.C. 20231

CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: U.S. Patent and Trademark Office, Office of Public Records, Crystal Gateway 4, Room 335, Washington, D.C. 20231, on the date below:

05/26/98
Date

Rose A. Hagan
Rose A. Hagan

06/19/1998 CSMTM 00000061 1689543

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DESIGNATION OF DOMESTIC REPRESENTATIVE

Trademark: TOVEX FIREBREAK

Registration No.: 1,689,543

Date of Registration: May 26, 1992

ARNOLD, WHITE & DURKEE, P.C. whose postal address is P.O. BOX 4433, Houston, Texas, 77210, U.S.A., is hereby designated the registrant's representative upon whom notices or process and proceedings affecting the mark may be served.

Dated at _____

this _____ day of _____, 1998.

ETI Canada Inc.

By: _____

Title: _____

SCHEDULE A

<u>TRADE MARK</u>	<u>REGISTRATION NUMBER</u>
BOOSTRITE	1,610,517
DELTA SLIDE	1,371,240
FRAGMAX	1,642,724
POURVAN	1,617,541
SEISMODET	1,266,273
SEISMOPAC	1,266,271
TOVAN	0,864,445
TOVAN SUPER 1, 2, 3, 4	1,655,505
TOVEX BLASTRITE 1	1,649,421
TOVEX BREAKRITE 1	1,639,673
TOVEX FIREBREAK	1,689,543
TOVEX LOADER	1,639,674
TOVEX MINERITE 1	1,642,722
TRENCHRITE 1, 5	1,833,778
TRIMRITE 1	1,624,728
TRIMTEX	0,769,001
ACUDET	0,688,546
NILITE	0,664,251
POURVEX	0,838,189
EXTRA	0,065,647
TOVEX	0,690,751
TOVITE	0,831,314
DETALINE	1,674,984

ASSIGNMENT

WHEREAS, **ETI EXPLOSIVES**, a partnership comprised of **ETI EXPLOSIVES TECHNOLOGIES INTERNATIONAL LTD.** and **ETI EXPLOSIVES TECHNOLOGIES INTERNATIONAL (CANADA), LTD.**, the full post office address of whose principal office or place of business is P.O. Box 610, BCE Place, Canada Trust Tower, Suite 3840, 161 Bay Street, Toronto, Ontario, M5J 2S1 (hereinafter "**ETI EXPLOSIVES**") is the owner of record of the trade marks and the trade mark registrations as set out in Schedule A hereto;

AND WHEREAS **ETI EXPLOSIVES** has granted a security interest to the **CANADIAN IMPERIAL BANK OF COMMERCE**, whose address is Commerce Court West, Third Floor, Toronto, Ontario, Canada (hereinafter "**CIBC**") in respect of said trade marks and trade mark registrations, on all the terms and conditions of an agreement between **ETI EXPLOSIVES** and **CIBC**, dated May 18, 1995 (hereinafter the "Security Interest");

AND WHEREAS, **ETI CANADA INC.**, the full post office address of whose principal office or place of business is P.O. Box 610, BCE Place, Canada Trust Tower, Suite 3840, 161 Bay Street, Toronto, Ontario, M5J 2S1, has acquired from **ETI EXPLOSIVES**, a partnership comprised of **ETI EXPLOSIVES TECHNOLOGIES INTERNATIONAL LTD.** and **ETI EXPLOSIVES TECHNOLOGIES INTERNATIONAL (CANADA), LTD.** the whole right, title and interest in and to the said trade marks and the said trade mark registrations therefor as set out in Schedule A hereto together with the goodwill of the business carried out in association therewith, subject to the Security Interest;

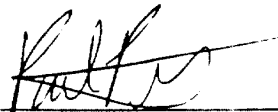
NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby

acknowledged, **ETI EXPLOSIVES, a partnership comprised of ETI EXPLOSIVES TECHNOLOGIES INTERNATIONAL LTD. and ETI EXPLOSIVES TECHNOLOGIES INTERNATIONAL (CANADA), LTD.** hereby confirms that it has sold, assigned and transferred, and does hereby sell, assign and transfer, subject to the Security Interest, unto **ETI CANADA INC.**, its successors and assigns, the whole right, title and interest in and to the trade marks and the said trade mark registrations set out in Schedule A hereto, together with the goodwill of any and all business carried on in association with the said trade marks, the same to be held by **ETI CANADA INC.**, as fully and effectually as they would have been held by **ETI EXPLOSIVES, a partnership comprised of ETI EXPLOSIVES TECHNOLOGIES INTERNATIONAL LTD. and ETI EXPLOSIVES TECHNOLOGIES INTERNATIONAL (CANADA), LTD.**, had this assignment not taken place.


ETI EXPLOSIVES, a partnership comprised of ETI EXPLOSIVES TECHNOLOGIES INTERNATIONAL LTD. and ETI EXPLOSIVES TECHNOLOGIES INTERNATIONAL (CANADA), LTD. hereby agrees that it will, without further consideration do all such things and execute all such documents as may be necessary or desirable to obtain and maintain said trade marks and said trade mark registrations and to vest legal title thereto in **ETI CANADA INC.**, its successors, assigns and legal representatives or nominees.

Executed at Toronto, Ontario, Canada, this 26th day of March, 1997.

ETI EXPLOSIVES TECHNOLOGIES INTERNATIONAL LTD. and ETI EXPLOSIVES TECHNOLOGIES INTERNATIONAL (CANADA), LTD., carrying on business in partnership as ETI EXPLOSIVES



Witness



By: Joe Huanissett
Title: Authorized Signatory