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07-27-1998

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MRD 7-22-98

To the Honorable Com



the attached original documents or copy thereof.

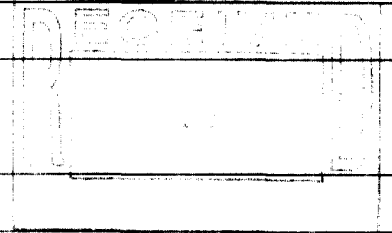
1. Name of conveying party(ies):  
THMX Holdings, LLC  
4850 East Airport Drive  
Ontario, CA 91761

100776825

Internal address of receiving party(ies)

Name: Allagash Fluid Controls, Inc.

Internal Address:



Street Address: 3333 North Torrey-Pines Court, Suite 230

City: La Jolla State: CA ZIP: 92037

3. Nature of conveyance:

- Assignment  Merger
- Security Agreement  Change of Name
- Other: Corrective Assignment of Trademark

Execution Date: July 20, 1998

4. Application number(s) or registration number(s): 74/649494

Trademark Application No(s). 74/649494

B. Trademark Registration No(s).

Additional numbers attached? Yes  No

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

Name: Linda A. Heban

Internal Address: JONES, DAY, REAVIS & POGUE

Street Address: 77 W. Wacker Dr.

City: Chicago State: IL ZIP: 60601-1692

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:

10-1202

(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.

LINDA HEBAN

Signature

Date

Name of Person Signing

07/27/1998 DNGUYEN 00000005 74649494

Total number of pages including cover sheet, attachments, and document: 12

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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S POSTAL SERVICE AS EXPRESS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, BOX ASSIGNMENTS, WASHINGTON, D.C. 20231

ON

July 27, 1998

Melanie M. Miller

Appendix A

Application

Trademark

Serial Number

Thermal Dynamics

74/649494

MRD 3-17-97

03-31-1997

To the Honorable Commissioner of P



100380526

original documents or copy thereof.

s of receiving party (ies) RECEIVED

MAR 17 1997

1. Name of conveying party(ies):  
Allagash Fluid Controls, Inc.  
3333 North Torrey Pines Court Suite 230  
LaJolla, California 92037  
  
a Delaware Corporation

Name: THMX Holdings, LLC  
a Delaware Limited Liability Company

Internal Address:

Street Address: 4850 E. Airport Drive

City: Ontario State: California ZIP: 91761

3. Nature of conveyance:  
 Assignment                       Merger  
 Security Agreement             Change of Name  
 Other \_\_\_\_\_

Execution Date: January 1, 1997

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

Trademark Application No(s).  
74/649494

B. Trademark Registration No(s).

Additional numbers attached?  Yes  No

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

Name: Linda A. Heban

Internal Address: JONES, DAY, REAVIS & POGUE

Street Address: 77 W. Wacker Dr.

City: Chicago State: IL ZIP: 60601-1692

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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.

LINDA HEBAN  
Name of Person Signing

Linda A Heban  
Signature

3/13/97  
Date

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

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, BOX ASSIGNMENTS, WASHINGTON, D.C. 20231

ON March 13, 1997

Melanie M. Williams

( 410 15 03/27/97 74549494  
0 401 40-00 CK )

**ASSIGNMENT OF TRADEMARK**

WHEREAS, Allagash Fluid Controls, Inc., a Delaware corporation, having a principal place of business at 3333 North Torrey Pines Court, Suite 230, LaJolla, California 92037 ("ASSIGNOR"), has adopted, used, is using, and is the owner of the mark, the goodwill symbolized by said mark, and the United States Trademark application with respect to said mark, listed in Appendix A (the "MARK"); and

WHEREAS, THMX Holdings, LLC, a Delaware limited liability company, having a place of business at 4850 East Airport Drive, Ontario, California 91761 ("ASSIGNEE"), is desirous of acquiring all of the right, title and interest of ASSIGNOR in and to the MARK, and the goodwill symbolized by the MARK, and the United States Trademark application listed in Appendix A.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ASSIGNOR hereby sells, assigns, transfers and conveys to ASSIGNEE all right, title and interest in and to, and to the use of the MARK and the United States Trademark application for the MARK, together with the goodwill symbolized by the MARK, and the right to recover for past acts of infringement, free and clear of all liens and encumbrances.

The United States Patent and Trademark Office is hereby authorized to deliver to ASSIGNEE, its attorneys, agents, successors or assigns, all official documents and communications as may be warranted by this agreement.

ALLAGASH FLUID CONTROLS, INC.

Date: Jan. 1, 1997

By: James W. Robins  
Name: James W. Robins  
Title: Vice President

**CORRECTIVE ASSIGNMENT OF TRADEMARK**

WHEREAS, on January 1, 1997, Allagash Fluid Controls, Inc., a Delaware corporation, located at 3333 North Torrey Pines Court, Suite 230, La Jolla, California 92037 ("Allagash"), executed an Assignment of Trademark, purporting to transfer the mark THERMAL DYNAMICS, the goodwill symbolized by said mark, and United States trademark Application Serial No. 74/ 649,494 with respect to said mark, to THMX Holdings, LLC, a Delaware limited liability company, located at 4850 East Airport Drive, Ontario, California 91761 ("THMX"); a copy of that Assignment is attached hereto as **Exhibit A**;

WHEREAS, Application Serial No. 74/649,494 was filed under Section 1(b) of the Lanham Act, 15 U.S.C. § 1051(b);

WHEREAS, on the date of execution of the Assignment of Trademark, the statement of use had not yet been filed in connection with Application Serial No. 74/649,494;

WHEREAS, Section 10 of the Lanham Act, 15 U.S.C. § 1060, states that no application under Section 1(b) shall be assignable prior to the filing of the statement of use;

WHEREAS, notwithstanding these facts, the Patent and Trademark Office Assignment Division accepted the Assignment and recorded it against Application Serial No. 74/649,494;

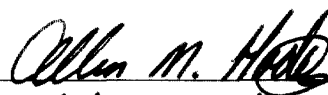
WHEREAS, the parties wish to rectify the record and correct the Assignment of Trademark;

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, THMX hereby sells, assigns, transfers and conveys back to Allagash any and all rights, title and interest in and to the use of the mark THERMAL

DYNAMICS and United States Application Serial No. 74/649,494 pertaining thereto, together with the goodwill symbolized by the mark, and the right to recover for past acts of infringement, free and clear of all liens and encumbrances, which it may have acquired pursuant to the Assignment executed January 1, 1997 and referred to herein.

THMX Holdings, LLC

Date: 7/20/98

By:   
Name: Allen M. Hodges  
Title: Secretary / Treasurer