

07-31-1998

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office



100782121

To the Honorable Commissioner of Patent

Please enclose the attached original documents or copy thereof.

1. Name of conveying party(ies):

Congress Financial Corporation

- ☐ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☒ Corporation-State - Illinois
☐ Other _____

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

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

Name: Hercules Acquisition Company

Internal Address: _____

Street Address: 101 Eleventh Street, S.E.City: Canton State: Ohio Zip: 44707-3802

- ☐ Individual(s) citizenship _____
☐ Association _____
☐ General Partnership _____
☐ Limited Partnership _____
☒ Corporation-State - Ohio
☐ 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

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☒ Other Release of Patent Trademark and License Mortgage; Corrected

Cover Sheet for Document No. 100699720Execution Date: March 31, 1998

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

A. Trademark Application No.(s)

B. Trademark registration No.(s)

Registration No.

3 8,776

Additional numbers attached? ☐ Yes ☒ No

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

Name: Ketan K. Patel, Esq.

Internal Address:

McDonald, Hopkins, Burke & Haber Co., L.P.A.2100 Bank One CenterStreet Address: 600 Superior Avenue, E.City: Cleveland State: Ohio Zip: 44114-26536. 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 is true and correct and any attached copy is a true copy of the original document.

Ketan K. Patel, Esq.

Name of Person Signing

Ketan Patel

Signature

July 27, 1998

Date

Total number of pages comprising cover sheet:

1

04-30-1998



100699720

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

581-40

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

1. Name of conveying party(ies):

Congress Financial Corporation

- ☐ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☒ Corporation-State - Illinois
☐ Other _____

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

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

Name: Hercules Engine Company

Internal Address: _____

Street Address: 101 Eleventh Street, S.E.City: Canton State: Ohio Zip: 44707-3802☐ Individual(s) citizenship _____☐ Association _____☐ General Partnership _____☐ Limited Partnership _____☒ Corporation-State - Ohio☐ 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

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☒ Other Release of Patent Trademark and License Mortgage

Execution Date: March 31, 1998

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

A. Trademark Application No.(s)

S.N. 318.776

B. Trademark registration No.(s)

Registration No.

Additional numbers attached? ☐ Yes ☒ No

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

Name: Ketan K. Patel, Esq.

Internal Address:

McDonald, Hopkins, Burke & Haber Co., L.P.A.2100 Bank One CenterStreet Address: 600 Superior Avenue, E.City: Cleveland State: Ohio Zip: 44114-26536. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41):

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9. Statement and signature.

*To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true copy of the original document.*Ketan K. Patel, Esq.

Name of Person Signing

Signature

April 29, 1998

Date

Total number of pages comprising cover sheet:

1

RELEASE OF PATENT TRADEMARK AND LICENSE MORTGAGE

THIS RELEASE is made as of this 31st day of March, 1998, by Congress Financial Corporation (Central), an Illinois corporation, having an office at 150 South Wacker Drive, Suite 1940, Chicago, Illinois 60606 ("Congress") in favor of Hercules Engine Company, an Ohio corporation, with its principal business and chief executive office at 101 Eleventh Street, S.E., Canton, Ohio 44707-3802.

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and adequacy of which are hereby acknowledged, Congress hereby unconditionally and expressly releases, terminates and extinguishes, without limitation, any and all of its right, title and interest in and to, and any and all liens and security interests it may have upon, in Trademark Hercules, Serial Number 318,776, registered on November 6, 1934 including all trademarks, applications and registrations therefor, renewals thereof, which liens and security interests were established under and pursuant to that certain Patent, Trademark and License Mortgage dated as of October 8, 1993 and recorded in the U.S. Patent and Trademark Office Trademark Branch on October 12, 1993 at Reel 1044 Frame 0233, (the "Agreement"). All obligations and duties under said Agreement to the extent they relate solely to the items referenced herein, are hereby released and terminated and Congress hereby expressly releases and discharges without limitation all claims, demands and causes of action that it may now have or might subsequently accrue to it arising out of or connected with, directly or indirectly, the aforesaid Agreement, but solely to the extent they relate to the items referenced herein.

This Release shall be binding upon Congress's legal representatives, assigns and successors.

Congress Financial Corporation (Central)

By: Thomas C. Lannan
Name: Thomas C. Lannan
Title: Vice President

ACKNOWLEDGMENT

STATE OF Illinois)
) SS
COUNTY OF Cook)

I, Christine Marie Danalewicz a Notary Public in and for and residing in said County and State, DO HEREBY CERTIFY THAT Thomas C. Lannon personally known to me to be the same person whose name is subscribed to the foregoing instrument appeared before me this day in person and acknowledged that he signed and delivered said instrument as his own free and voluntary act, for the uses and purposes therein set forth.

Dated as of the 14th day of March, 1998.

Christine Marie Danalewicz
Notary Public

My Commission Expires:

4-4-99

