



EXAMINER NOTE: PLEASE NON-MICROFILM THIS  
PAGE

~~EXHIBIT~~ Brief 40:

Corrective document. Invalid Recording  
At Reel 1716, frame 0849 on 4-21-98  
Applications were intent-to-use  
and were erroneously included in  
Assignment.

REEL: 1854 FRAME: 0232

## TRADEMARK/SERVICE MARK ASSIGNMENT

THIS ASSIGNMENT, between the CAPITOL MANUFACTURING DIVISION OF HARSCO CORPORATION, a corporation organized under the laws of the state of Delaware with its principal office located at 675 Brookside Boulevard, Westerville, Ohio 43081 ("HARSCO CORPORATION"), and HARSCO TECHNOLOGIES CORPORATION, a corporation organized under the laws of the state of Minnesota with its principal office located at 415 N. Main Street, Fairmount, Minnesota 56031 ("HARSCO TECHNOLOGIES").

WHEREAS, HARSCO CORPORATION is the owner of United States applications for registration of trademarks and service marks identified on attached Schedule 1 (hereinafter referred to as the "Marks"), together with the goodwill of the business connected with the use of the Marks (the "Goodwill");

WHEREAS, HARSCO CORPORATION wishes to assign and transfer the Marks and the Goodwill to HARSCO TECHNOLOGIES;

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, HARSCO CORPORATION does hereby grant, convey, assign, transfer, contribute, set over to and vest in HARSCO TECHNOLOGIES, its successors and assigns, all of HARSCO CORPORATION'S right, title and interest, legal and equitable, in and to the Marks and the Goodwill.

This Assignment is executed as of this 1st day of April, 1998.

CAPITOL MANUFACTURING DIVISION OF  
HARSCO CORPORATION

By: David L. Katz

Its: PRESIDENT

SCHEDULE 1  
U.S. TRADEMARK/SERVICE MARK APPLICATIONS

<u>MARK</u>	<u>APPLICATION NUMBER</u>	<u>FILING DATE</u>
CAPGUARD	75/144,982	08/05/96
CAP PRODUCTS	75/140,621	07/26/96
CAPITOL	75/140,618	06/26/96

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RECORDED: 07/01/1998

TRADEMARK  
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