

11-02-1999

Docket No.:

5809-009



101189750

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):

First Financial Building Corp.  
13537 Barrett Parkway Drive, Suite 215  
Manchester, Missouri 63021

- Individual(s)
- General Partnership
- Corporation-State Illinois
- Other

Additional names(s) of conveying party(ies)  Yes  No

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other
- Merger
- Change of Name

Execution Date: July 22, 1999

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

Name: NewGround Resources, Inc.

Internal Address:

Street Address: 13537 Barrett Parkway Dr., Ste. 215

City: Manchester, State: MO ZIP: 63021

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State Delaware
- Other

If assignee is not domiciled in the United States, a domestic designation is  Yes  N  
(Designations must be a separate document from  
Additional name(s) & address(es)  Yes  N

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

A. Trademark Application No.(s)

75/576,655

Additional numbers

B. Trademark Registration No.(s)

Yes  No

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

Name: Lawrence E. Evans, Jr.

Internal Address: Herzog, Crebs & McGhee, LLP

Street Address: 515 North 6th Street

24th Floor

City: St. Louis, State: MO ZIP: 63101

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:

03-0942

11/02/1999 NTHAI1 00000100 75576655

DO NOT USE THIS SPACE

01 FC:481

40.00 OP

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.

Lawrence E. Evans, Jr.

Name of Person Signing

Lawrence E. Evans, Jr.

Signature

10/25/99

Date

Total number of pages including cover sheet, attachments, and

5

TRADEMARK

REEL: 001983 FRAME: 0462

## **ASSIGNMENT**

WHEREAS, First Financial Building Corporation, a corporation existing under the laws of the State of Illinois, (hereinafter "Assignor"), has adopted the service mark NEWGROUND RESOURCES and is the owner of the entire right, title and interest in and to Service Mark Application No. 75/576,655.

WHEREAS, NewGround Resources, Inc., a corporation duly organized under the laws of the State of Delaware, (hereinafter "Assignee"), having its principal office and place of business at 13537 Barrett Parkway Drive, Suite 215, Manchester, Missouri 63021, is desirous of acquiring all right, title and interest in and to the mark NEWGROUND RESOURCES, Service Mark Application No. 75/575,655, and the goodwill of the business associated therewith.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN, BE IT KNOWN THAT, for and in consideration of \$10.00 and other valuable consideration to it paid by Assignee, the receipt and sufficiency of which is hereby acknowledged, Assignor by these presents does hereby assign, sell, transfer and set over to said Assignee, Assignor's entire right, title and interest in and to the mark NEWGROUND RESOURCES together with the goodwill of the business associated therewith and the aforementioned service mark application, including the right to sue for past and present infringement, the same to be held and enjoyed by Assignee for its own use and for the use of its successors and assigns, as fully and entirely as the same would have been held and enjoyed by Assignor if this Assignment and sale had not been made.

Signed this 22nd day of July, 1999.

ASSIGNOR:

ASSIGNEE:

FIRST FINANCIAL BUILDING CORPORATION

NEWGROUND RESOURCES, INC.

By: Charles J. Zaegel

By: [Signature]

STATE OF MISSOURI )  
                                  ) ss.  
COUNTY OF ST. LOUIS )

On this, the 22nd day of July, 1999, before me, David C. Kartye, a Notary Public, in and for said State, personally appeared Charles J. Zaegel, the Vice-President of First Financial Building Corporation, known to me to be the person who executed the within Assignment in behalf of said corporation and acknowledged to me that he executed the same for the purposes therein stated.

IN TESTIMONY WHEREOF, I have hereto set my hand and affixed my official seal in the county and state aforesaid, on the date and year first written above.

[Signature]  
Notary Public

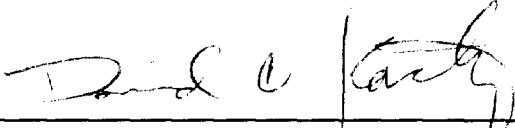
My Commission Expires:

DAVID C. KARTE  
NOTARY PUBLIC STATE OF MISSOURI  
ST. LOUIS COUNTY  
MY COMMISSION EXPIRES DEC 30 2002

STATE OF MISSOURI     )  
                                          ) ss.  
COUNTY OF ST. LOUIS    )

On this, the 22nd day of July, 1999, before me,  
David C. Kartye, a Notary Public in and for said State, personally  
appeared Rex H. Dunlap, the Vice-Chairman of Newground Resources, Inc., known to  
me to be the person who executed the within Assignment in behalf of said corporation  
and acknowledged to me that he executed the same for the purposes stated therein.

IN TESTIMONY WHEREOF, I have hereto set my hand and affixed my official  
seal in the county and state aforesaid, on the date and year first written above.

  
\_\_\_\_\_  
Notary Public

My Commission Expires:

DAVID C. KARTYE  
NOTARY PUBLIC STATE OF MISSOURI  
ST. LOUIS COUNTY  
MY COMMISSION EXPIRES 07/22/2002