

01-06-2000

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FORM PTO-1594 (Rev. 6-93)

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HEET

U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office

OMB No. 0651-0011 (exp. 4/94)

Tab settings 3133 TM

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

1. Name of conveying party(ies):

DMT GESELLSCHAFT FUR FORSCHUNG UND PRUFUNG MBH AKA DEUTSCHE MONTAN TECHNOLOGIE GESELLSCHAFT FUR FORSCHUNG UND PRUFUNG MBH

- Individual(s), Association, General Partnership, Limited Partnership, Corporation-State, Other German limited liability joint stock company

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

2. Name and address of receiving party(ies)

Name: DEUTSCHE MONTAN TECHNOLOGIE GMBH

Internal Address:

Street Address: Franz-Fischer-Weg 61

City: Essen (13) Kray State: Germany ZIP: 4300

- Individual(s) citizenship, Association, General Partnership, Limited Partnership, Corporation-State, Other German limited liability company

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

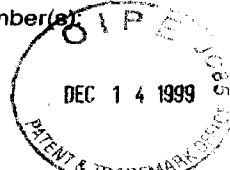
3. Nature of conveyance:

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

Execution Date: 8 April 1999

4. Application number(s) or patent number(s)

A. Trademark Application No.(s)



B. Trademark Registration No.(s)

1,812,574 -- DMT & DESIGN

Additional numbers attached? Yes No

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

Name: Herbert Dubno, Esq.

Internal Address:

c/o The Firm of Karl F. Ross, P.C.

Street Address: 5676 Riverdale Ave.

Suite 310

City: Riverdale(Bronx) State: NY ZIP: 10471

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:

18-2025

(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.

Herbert Dubno, Esq.

Name of Person Signing

Signature

14 Dec. 99

Date

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

Mall documents to be recorded with required cover sheet information to: Commissioner of Patents & Trademarks, Box Assignments Washington, D.C. 20231

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TRADEMARK REEL: 002007 FRAME: 0422



3133TM

IN THE U.S. PATENT AND TRADEMARK OFFICE
TRADEMARK EXAMINING OPERATION

Registrant	DEUTSCHE MONTAN TECHNOLOGIE GMBH	
Reg. No.	1,812,574	
Granted	21 December 1993	
Mark	DMT & DESIGN	
Class	42	
Trademark att.	Not known	Law Office Not known

Asst. Commissioner for Trademarks
Box 5
2900 Crystal Drive
Arlington, VA 22202-3513

POWER OF ATTORNEY AND APPOINTMENT OF DOMESTIC REPRESENTATIVE

DEUTSCHE MONTAN TECHNOLOGIE GMBH hereby appoints Herbert Dubno, Reg. 19,752; Jonathan Myers, Reg. 26,963; and Andrew Wilford, Reg. 26,597 and each of them individually to prosecute the matter identified in the caption and to transact all business in the Patent and Trademark Office connected therewith.

Please direct all correspondence to:

The Firm of Karl F. Ross, P.C.
Customer Number 000535
5676 Riverdale Avenue, Box 900
Riverdale (Bronx), New York 10471-0900
Telephone: (718) 884-6600
Fax: (718) 601-1099.

Please designate the above-identified firm as the mark owner's representative upon whom notices or process in proceedings affecting the mark may be served.

DEUTSCHE MONTAN TECHNOLOGIE GMBH

06. Dez. 1999
Date

Signature: *[Handwritten Signature]*
Name: (Hewing) (Obst)


Title: Authorised Officer Assistant Manag

Entry No.	a/ Firm b/ Location c/ Scope of Enterprise	Basic or Original Capital	Board Personally liable shareholders Managing Director Liquidator	Procurator	Legal Status	a/ Date of Entry and signature b/ Remarks
1	2	3	4	5	6	7
70	<p>a/ Deutsche Montan Technologie GmbH</p> <p>c/ Engineering services of all kind, including research and development in all fields of raw materials, energy and environmental technologies, as well as conducting technical tests, official acceptance tests and consulting, primarily based on legal regulations, particularly in the spirit of § 65 No. 3 and No. 4 BBergG, including the therefore required safety research.</p>				<p>The shareholders meeting decided on 16 March 1999 to change the firm name and the scope of the enterprise, to increase the original capital from DM 60,000,000 = 30,677,512.87 Euro by 22,487,13 Euro, to Euro 30,700,000 and to modify the Statute in §§ 1, 2 and 3 correspondingly and also in § 6 now § 10 (Business Management), and also to change the rest and to completely rewrite it.</p> <p>The company has at least two managing directors.</p> <p>The company is represented jointly by two managing directors or one managing director jointly with a procurator.</p> <p>By decision of the shareholders meeting, respectively the supervisory board, the managing directors can be authorized to represent the company without limits in legal matters with itself on its own behalf or as representatives of a third party (release from the limitations of § 181 BGB).</p>	a/ 08 April 1999 Baude
	<p>Commercial Register Matter: DMT-Gesellschaft für Forschung und Prüfung mit beschränkter Haftung</p> <p>Upon Decree ss/signature (Baude) Court Clerk</p>					

Nr. der Eintragung	a) Firma b) Sitz c) Gegenstand des Unternehmens	Grund- oder Stammkapital DM	Vorstand Persönlich haftende Geschäftsführer Abwickler	Prokura	Rechtsverhältnisse	a) Tag der Eintragung und Unterschrift b) Bemerkungen
1	2	3	4	5	6	7
70	<p>a) Deutsche Montan Technologie GmbH</p> <p>c) Ingenieurleistungen aller Art einschließlich Forschung und Entwicklung auf allen Gebieten der Rohstoff-, Energie- und Umwelttechnik sowie die Durchführung von technischen Prüfungen, Abnahmen und Beratungen, vor allem aufgrund von Rechtsvorschriften, insbesondere im Sinne des § 63 Nr. 3 und Nr. 4 BBergG, einschließlich der hierfür erforderlichen sicherheitstechnischen Forschung.</p>	30.700.000,- Euro			<p>Die Gesellschafterversammlung hat am 16. März 1999 beschlossen, die Firma und den Gegenstand des Unternehmens zu ändern, das Stammkapital von DM 60.000.000,- = 30.677.512,87 Euro um Euro 22.487,13 auf Euro 30.700.000,- zu erhöhen und die Satzung in §§ 1, 2 und 3 entsprechend und zudem in § 6, jetzt § 10 (Geschäftsführung) und auch im übrigen zu ändern sowie sie zugleich insgesamt neu zu fassen.</p> <p>Die Gesellschaft hat mindestens zwei Geschäftsführer.</p> <p>Die Gesellschaft wird durch zwei Geschäftsführer gemeinsam oder durch einen Geschäftsführer in Gemeinschaft mit einem Prokuristen vertreten.</p> <p>Durch Beschluß der Gesellschafterversammlung bzw. des Aufsichtsrates können Geschäftsführer ermächtigt werden, die Gesellschaft bei der Vornahme von Rechtsgeschäften mit sich im eigenen Namen oder als Vertreter eines Dritten uneingeschränkt zu vertreten (Befreiung von den Beschränkungen des § 181 BGB).</p>	a) 08. April 1999 Baude

Handelsregistersache: DMT-Gesellschaft für Forschung und Prüfung mit beschränkter Haftung

Auf Anordnung



(Baude), Justizangestellte

State of New York)
)
 County of the Bronx) ss:

TRANSLATOR'S AFFIDAVIT

I, Ruth Goldstein, a citizen of the United States of America, residing in Fort Lee, New Jersey, depose and state that:

I am familiar with the English and German languages;

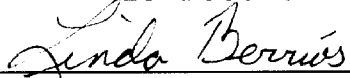
I have read a copy of the German-language document attached hereto, namely Commercial Register Excerpt 810; and

The hereto-attached English-language text is an accurate translation of the above-identified German-language document.



Ruth Goldstein

Sworn to and subscribed before me
13 December 1999



Notary Public

LINDA BERRIOS
 Notary Public State of New York
 No. 01BE5016825
 Qualified in Bronx County
 Commission expires August 23, 2007