

03/04/00

FORM PTO-1618A
Expires 06/30/99
OMB 0651-0027

03-31-2000

U.S. Department of Commerce
Patent and Trademark Office
TRADEMARK



101302710

Re

RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

New

Resubmission (Non-Recordation)
Document ID # 101200655

Correction of PTO Error
Reel # _____ Frame # _____

Corrective Document
Reel # _____ Frame # _____

Conveyance Type

Assignment License

Security Agreement Nunc Pro Tunc Assignment
Effective Date
Month Day Year

Merger

Change of Name

Other _____

Conveying Party

Mark if additional names of conveying parties attached

Name Athey Products Corporation Execution Date
Month Day Year 10-30-96

Formerly _____

Individual General Partnership Limited Partnership Corporation Association

Other _____

Citizenship/State of Incorporation/Organization _____

Receiving Party

Mark if additional names of receiving parties attached

Name The Conveyor Company

DBA/AKA/TA _____

Composed of _____

Address (line 1) P. O. Box 204

Address (line 2) _____

Address (line 3) Sibley Iowa 51249
City State/Country Zip Code

Individual General Partnership Limited Partnership If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)

Corporation Association

Other _____

Citizenship/State of Incorporation/Organization _____

FOR OFFICE USE ONLY

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

TRADEMARK
REEL: 002041 FRAME: 0606

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Correspondent Name and Address

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Pages Enter the total number of pages of the attached conveyance document including any attachments.

#

Trademark Application Number(s) or Registration Number(s)

Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)

Registration Number(s)

Number of Properties Enter the total number of properties involved.

#

Fee Amount Fee Amount for Properties Listed (37 CFR 3.41):

\$

Method of Payment:

Enclosed Deposit Account

Deposit Account

Already Paid

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

Authorization to charge additional fees:

Yes No

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. Charges to deposit account are authorized, as indicated herein.

Edward F. Pohren

Edward F. Pohren

March 6, 2000

Name of Person Signing

Signature

Date Signed

October 30, 1996

Ms. Diane J. Dietz
President
The Conveyor Company
1200 Ninth Avenue
P.O. Box 204
Sibley, Iowa 51249

LETTER OF INTENT

Dear Ms Dietz:

This letter sets forth the essential terms and conditions, superseding all prior communications, oral or written, including, without limitation, my letter to you dated October 24, 1996, on which Athey Products Corporation (the "Seller") intends to agree with The Conveyor Company (the "Buyer") for the sale to the Buyer of the Seller's inventory of vibrating screens, pugmills, ash blenders and certain conveyor products (the "Kolman Product Line").

1. **PURCHASE.** The parties will execute a definitive asset purchase agreement (the "Agreement"), pursuant to which the Buyer will purchase all of Seller's right, title and interest in and to Seller's Kolman Product Line assets (other than the R101-42" X 100' mine duty stacker) which consist of the following (collectively, the "Assets"):

a. **Inventory.** The complete raw material, work-in-process and finished goods inventory related to the Kolman Product Line (the "Inventory").

b. **Intellectual Property.** Certain patents, trademarks, trade names (including registrations, licenses, and applications pertaining thereto), and other intellectual property rights, trade secrets, and other proprietary information relating solely to the Kolman Product Line, including the Kolman trademark, the Kolman Product Line patents and engineering drawings relating to vibrating screens, pugmills, ash blenders and other conveyor products comprising the Kolman Product Line.

c. **Technical Documentation.** Certain technical and descriptive materials (other than Inventory) relating to the acquisition, design, development, use, or maintenance of the Assets comprising the Kolman Product Line, including engineering drawings, engineering part number log books and master machine files relating thereto.

d. **Business Records.** Certain business and marketing records relating solely to the Kolman Product Line, including inventory lists, advertising materials and brochures, sales order files (including machine invoice and related parts list, as well as warranty history), the purchasing card index file history (identifying part numbers, vendors and vendor numbers), the purchasing master books (segregating part numbers and descriptions into broad product categories), the parts sales history books (identifying parts used on specific products including model number, sales order number, serial number and customer) and other business records relating solely to the Kolman Product Line.

Please indicate the Buyer's agreement with general terms and conditions contained this letter by signing and returning to me the enclosed copy.

Very truly yours,

Athey Products Corporation

By: 
Franz M. Ahting, Vice President/Finance