

MRO S220

RECORDATION FORM COVER SHEET

06-14-2000

Tab settings

To the Honorable Commissioner of Patent



original documents or copy thereof.

101380647

1. Name of conveying party(ies):

Commerce Bank, N.A. OPR/FINANCE

- Individual(s), Association, General Partnership, Limited Partnership, Corporation-State, Other Banking Corporation N.A.

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

3. Nature of conveyance:

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

Execution Date: May 8, 2000

Name of receiving party(ies)

Name: Sukup Manufacturing Co.

Internal Address:

Street Address: 1555 255th Street, Box 677

City: Sheffield State: IA ZIP: 50475

- Individual(s) citizenship, Association, General Partnership, Limited Partnership, Corporation-State Iowa Corporation, 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

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

1,766,528
1,767,191
1,772,644

Additional numbers attached? Yes No

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

Name: Donald H. Zarley

Internal Address:

06/13/2000 JSHABAZZ 00000102 1766528

01 FC:481 40.00 OP
02 FC:482 50.00 OP

Street Address: 801 Grand Ave., Suite 3200

City: Des Moines State: IA ZIP: 50309

6. Total number of applications and registrations involved: 3

7. Total fee (37 CFR 3.41) \$ 90.00

- Enclosed, Authorized to be charged to deposit account

8. Deposit account number:

26-0084

(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.

Jo Ann L. Ketterling

Name of Person Signing

Signature

May 16, 2000

Date

Total number of pages including cover sheet, attachments, and document: 6

## TRADEMARK ASSIGNMENT

WHEREAS, COMMERCE BANK, N. A., a banking corporation having a place of business at 215 North Main Street, Garden City, Kansas 67846, by merger with Fidelity State Bank (recorded at Reel 001977, Frame 0518), owns a security interest in the marks and registrations listed on Exhibit A hereto (recorded at Reel 1606, Frame 0610) as Collateral and has been granted relief by the United States Bankruptcy Court for the District of Kansas in Case No. 99-10456-7 to immediately take possession of and sell the Collateral in order to foreclose its lien against the marks and registrations (as contained in an AGREED ORDER GRANTING RELIEF FROM THE AUTOMATIC STAY attached as Exhibit B hereto); and

WHEREAS, SUKUP MANUFACTURING CO., a corporation having an address of 1555 255th Street, Box 677, Sheffield, IA 50475, is desirous of acquiring said marks and the registrations thereof;

NOW, THEREFORE, for One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, COMMERCE BANK, N. A. does hereby assign unto SUKUP MANUFACTURING CO., all right, title and interest in and to the said marks, together with the good will of the business symbolized by the marks, and the registrations thereof identified on Exhibit A, together with the right to sue for and collect on all claims for damages by reason of past infringement of said marks.

IN WITNESS WHEREOF, COMMERCE BANK N. A. has caused this Assignment to be

executed by its duly authorized officer.

COMMERCE BANK, N. A.

By: Richard D. Harp, Esq.  
Richard D. Harp, Executive Vice President

STATE OF KANSAS            )  
  ) ss.  
County of Finney         )

On this 8<sup>th</sup> day of May, 2000, before me personally appeared Richard D. Harp, to me known to be ~~Executive Vice President~~ of Commerce Bank, N. A., and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

Janice L Parks  
Notary Public

NOTARY PUBLIC - State of Kansas  
JANICE L. PARKS  
My Commission expires:

5-28-00.

Commissioned in Finney County, Kansas

**EXHIBIT "A"**

**Registration No.**

**Mark**

1,766,528

ACRA TILL

1,767,191

VPS

1,772,644

VARIABLE PROFILE SUBSOILER

FILED

IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF KANSAS

MAR 05 1999

CLERK U.S. Court of Bankruptcy By [Signature] Deputy

IN RE: )
)
ACRA PRODUCTS, L.L.C. )
)
Debtor. )

Case No. 99-10456-7

AGREED ORDER GRANTING RELIEF FROM THE AUTOMATIC STAY

NOW ON this 5th day of March, 1999, this matter comes on for hearing before the Court on the Motion for Relief from Automatic Stay or, in the Alternative, for Adequate Protection ("Motion") of Commerce Bank, N.A., Garden City ("Commerce"). Commerce appears by Jack C. Marvin of Morrison & Hecker L.L.P. D. Michael Case appears as Bankruptcy Case Trustee. There are no other appearances.

WHEREUPON, the Court after reviewing its file and being duly advised of its premises, finds that the parties to this order have agreed the Commerce should be granted relief from the automatic stay based upon the grounds stated in the Motion.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Commerce is granted relief from the automatic stay herein and is permitted to immediately take possession of the Collateral (defined below) and sell the same pursuant to the terms of its loan documents and the Kansas Uniform Commercial Code, or otherwise resume prosecution of its pending replevin action in the state district court of Finney County, Kansas, in rem, in order to foreclose its lien against all accounts and contract rights, all chattel paper, all documents, all equipment, all fixtures, all general intangibles, all instruments, all inventory, all patents and trademarks, motor vehicles and all other collateral, as more fully described in the terms of the Commercial Security Agreement attached to the Motion ("Collateral").

U.S. BANKRUPTCY COURT) DISTRICT OF KANSAS) SS

I hereby certify that the foregoing is a true copy of the original on file in this court and cause.

By [Signature] Clerk Deputy Clerk

Dated: 3-1-99




IT IS FURTHER ORDERED that this order is granted without prejudice to the rights of the Case Trustee or any other party who may claim an interest in the Collateral or the proceeds thereof, in the event there are issues as to perfection and priority of the lien of Commerce against the Collateral.

  
3/5/99  
\_\_\_\_\_  
U. S. BANKRUPTCY COURT


APPROVED:

MORRISON & HECKER L.L.P.

By   
\_\_\_\_\_  
Jack C. Marvin (#10934)  
600 Commerce Bank Center  
150 North Main  
Wichita, Kansas 67202-1320  
(316) 265-8800

Attorneys for Commerce Bank, N.A., Garden City

CASE, ZIMMERMAN & WILSON

By   
\_\_\_\_\_  
D. Michael Case (#07491)  
212 North Market, Suite 102  
Wichita, Kansas 67202-2014  
(316) 303-0100

Bankruptcy Case Trustee

::ODMA\PCDOCS\W\CDOCS\28343\1  
65925-0010