

12-28-2000



101553287

MRD  
12.22.00

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 #
- Correction of PTO Error  
Reel #  Frame #
- Corrective Document  
Reel #  Frame #

Conveyance Type

- Assignment  License
- Security Agreement  Nunc Pro Tunc Assignment
- Merger  Effective Date  
Month Day Year
- Change of Name
- Other

Conveying Party

Mark if additional names of conveying parties attached

Execution Date  
Month Day Year

Name

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

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)     
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

12/27/2000 DNGUYEN 00000017 75459844

FOR OFFICE USE ONLY

01 FC:481  
02 FC:482

40.00 OP  
625.00 OP

12/28/2000 RAHMEDI 00000104 75459844

01 FC:484

120.00 OP

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: 002166 FRAME: 0504

**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

(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.

Phil Stratton

Name of Person Signing



Signature

Date Signed

RECORDATION FORM COVER SHEET  
CONTINUATION  
TRADEMARKS ONLY

**Conveying Party**

Enter Additional Conveying Party

Mark if additional names of conveying parties attached

Execution Date  
Month Day Year

Name

Formerly

Individual  General Partnership  Limited Partnership  Corporation  Association

Other

Citizenship State of Incorporation/Organization

**Receiving Party**

Enter Additional Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)     
City State/Country Zip Code

Individual  General Partnership  Limited Partnership

Corporation  Association

Other

Citizenship/State of Incorporation/Organization

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 the Assignment.)

**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)**

<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

1642596	0997273	<input type="text"/>
1698279	<input type="text"/>	<input type="text"/>
1680763	<input type="text"/>	<input type="text"/>
1638167	<input type="text"/>	<input type="text"/>
1620854	<input type="text"/>	<input type="text"/>
1392989	<input type="text"/>	<input type="text"/>
1397387	<input type="text"/>	<input type="text"/>

**ASSIGNMENT OF INTELLECTUAL PROPERTY**

**WHEREAS, MARATHON EQUIPMENT COMPANY (DELAWARE)**, a Delaware corporation (hereinafter referred to as "Assignor"), whose mailing address is Highway 9, Vernon, Alabama 35922, is the sole owner of certain Intellectual Property (defined herein); and,


**WHEREAS, DELAWARE CAPITAL FORMATION, INC.**, a Delaware corporation (hereinafter referred to as "Assignee") whose mailing address is 1403 Foulk Road, Suite, 102, Wilmington, Delaware, 19803, is desirous of acquiring the entire right, title and interest in the Intellectual Property;

**NOW THEREFORE**, in consideration of the sum of \$1.00 (ONE DOLLAR) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Assignor does hereby transfer unto said Assignee the entire right, title and interest in and to all intellectual property of the Assignor, whether now owned or hereafter acquired, whether common law or registered, including, but not limited to copyrights, patents, patent applications, trademarks, trademark applications, trade names, service marks, processes, logos, designs, drawings, and the intellectual property identified in Exhibit A attached hereto (collectively, the "Intellectual Property"); the same to be held and enjoyed by the Assignee for its use and enjoyment, and for its legal representatives and assigns, to the full end of the term for which said Intellectual Property rights are granted by law, as fully and entirely as the same would have been held by Assignor had this assignment and sale not been made

The Assignor hereby agrees to assign any and all Intellectual Property hereafter acquired by the Assignor and to execute any and all documents necessary to effectuate such assignment.

Executed as of the 1<sup>st</sup> day of January, 2000.

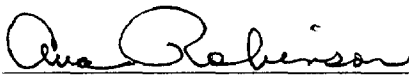
**MARATHON EQUIPMENT COMPANY (DELAWARE)**

By:   
Its: TREASURER

STATE OF ALABAMA )  
COUNTY OF Jamaa )

I, the undersigned, a notary public, in and for said County in said State, hereby certify that Phil Stratton, whose name as Treasurer of Marathon Equipment Company (Delaware), a Delaware corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation, on the day the same bears date.

Given under my hand and official seal this 21 day of December, 2000

  
Notary Public

My Commission Expires: 2-6-2001

**EXHIBIT A**

**U.S. Trademark Applications**

<b><u>Mark</u></b>	<b><u>Serial Number</u></b>	<b><u>Status</u></b>
TS-2000	75/459,844	Notice of Approval Of Ext. Req. Received
SIGNATURE SERIES	75/904,665	Response due 12/28/00
MARATHON & Design	75/904,666	Awaiting Not. of Publication
BLOC PAC 3000	76/061,080	Awaiting Filing Receipt
BLOK PAK 3000	76/061,079	Awaiting Filing Receipt
OLYMPAC	76/095,461	Awaiting Response from TM Attorney
OLYMPAK	76/095,462	Awaiting Response from TM Attorney
STEALTH	75/849,316	
AHEAD OF ITS TIME	75/459,758	Dead
PRO-CYCLER	74/238,312	Dead
FLEX-D-VIDER	74/192,232	Dead
STREET CYCLER	74/130,974	Dead
TRANSPORTER	74/078,205	Dead

**U.S. Trademark Registrations**

<b><u>Mark</u></b>	<b><u>Registration No.</u></b>
ATLAS	2,273,865
GEMINI	2,287,495

**EXHIBIT A**

TRASHMINDER	2,236,705
ROTARY RECYCLING EQUIPMENT	2,064,005
AUG-JET	2,062,077
RAMPRO	1,871,040
FLEX-D-VIDER	1,858,116
MARATHON	1,689,831
MISER	1,701,528
PRECYCLER	1,732,007
HY/PRESS	1,712,597
QWIK CLEAN	1,642,596
VIP-LOCK	1,698,279
TRASH CHECK	1,680,763
TRASH COMMANDER	1,638,167
CYCON LIFE-XTENDER	1,620,854
JETPAK	1,392,989
MARATHON	1,397,387
V.I.P. VERT-I-PACK	1,168,053
RAM-JET	1,068,028
COMMANDER	997,273

**EXHIBIT A**

**Foreign Trademark Applications**

<b><u>Mark</u></b>	<b><u>Serial Number</u></b>	<b><u>Country</u></b>
MARATHON & Design	2,214,947	Argentina
MARATHON & Design	795234	Australia
MARATHON & Design	821661337	Brazil
MARATHON & Design	Not Yet Filed in Chile	Chile
MARATHON & Design	2000004040	China
MARATHON & Design	Serial Number Not Received	Costa Rica
MARATHON & Design	0217877	Europe
MARATHON & Design	800640	India
MARATHON & Design	D98-10502	Indonesia
MARATHON & Design	99/00760, 99/00761, 99/00762	Malaysia
MARATHON & Design	310133	New Zealand
MARATHON & Design	T98/07308A	Singapore
MARATHON & Design	896674	Taiwan
MARATHON & Design	34533	United Arab Emirates
MARATHON & Design	Not Yet Filed in Hong Kong	Hong Kong
MARATHON & Design	Not Yet Filed in Mexico	Mexico

**Foreign Trademark Registration**

<b><u>Mark</u></b>	<b><u>Registration No.</u></b>	<b><u>Country</u></b>
MARATHON & Design	0455300	Korea