

12-22-2000

U.S. DEPARTMENT OF COMMERCE

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Patent and Trademark Office
Docket No. 43876-24000

101558930

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

<p>1. Name of conveying party(ies) Environmental Science & Engineering, Inc.</p> <p><input type="checkbox"/> Individual(s) <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation-Delaware <input type="checkbox"/> Other</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies):</p> <p>Name: Mactec, Inc. Street Address: 1819 Denver West Drive City, State, ZIP: Golden, CO 80401</p> <p><input type="checkbox"/> Individual(s) citizenship: _____ <input type="checkbox"/> Association _____ <input type="checkbox"/> General Partnership: _____ <input type="checkbox"/> Limited Partnership: _____ <input checked="" type="checkbox"/> Corporation-State: Colorado <input type="checkbox"/> Other: _____</p> <p>Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>3. Nature of conveyance</p> <p><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other</p> <p>Execution Date: <u>November 20, 2000</u></p>	

<p>4. Application number(s) or registration number(s):</p> <p>Trademark Application No.(s): 75/593,335</p> <p>Registration No.(s): 1,361,053 2,045,453</p> <p>Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
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<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Kristin Taylor Randall Morrison & Foerster LLP 425 Market Street San Francisco, California 94105-2482</p>	<p>6. Total number of applications and trademark registrations involved: three (3)</p> <p>7. Total fee (37 C.F.R. § 3.41): \$90.00</p> <p><input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account, referencing Attorney Docket 43876-24000</p> <p>8. Deposit account number: 03-1952</p>
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The Commissioner is hereby authorized to charge any fees under 37 C.F.R. § 1.21 which may be required by this paper, or to credit any overpayment to **Deposit Account No. 03-1952**

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.

Name: Kristin Taylor Randall

 Signature 12/11/2000 Date

Total number of pages comprising cover sheet, attachments and document: **two (2)**

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

sf-1009772

TRADEMARK
REEL: 002198 FRAME: 0476

ASSIGNMENT

WHEREAS, Environmental Science & Engineering, Inc., a Delaware corporation, with offices in Peoria, Illinois ("ASSIGNOR") is the owner of the service mark registrations for the mark ESE, Registration Nos. 1,361,053, and 2,045,453, and ESE and Design, Registration No. 2,035,010, together with the goodwill of the business represented and symbolized by the service marks; and

WHEREAS, ASSIGNOR has intended to use the trademark TEMS in class 9 in commerce and has filed an application, now assigned Serial No. 75/593,335, indicating that intention, but has not yet filed an allegation of use under §§ 1(c) or 1(d) of the Lanham Act, and whereas ASSIGNOR is assigning the trademark in the above identified application as part of the entire business or portion thereof to which the trademark pertains as required by 15 U.S.C. § 1060; and

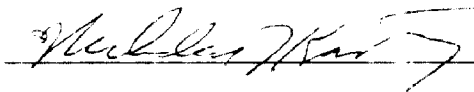
WHEREAS, MACTEC, Inc., a Colorado corporation, with offices in Golden, Colorado, is desirous of acquiring the entire right, title and interest of the ASSIGNOR in and to said service mark registrations, and the accompanying goodwill of the business represented and symbolized by the service marks; and whereas MACTEC is the successor of the ongoing and existing business, or portion thereof, to which the trademark TEMS pertains, is desirous of acquiring said trademark and the pending intent-to-use application therefor, along with the goodwill and that portion of the business associated with the trademark;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, ASSIGNOR does hereby sell, assign, transfer, and convey to MACTEC its entire right, title and interest in and to the ESE and ESE and Design service marks and to the TEMS trademark, all common law rights, the registrations for said service marks and application for said trademark, together with the accompanying goodwill of the business represented and symbolized by said service marks and trademark, and that portion of the business represented and symbolized by said trademark, and the right to register, renew, protect and defend said service marks and trademark and to sue for past infringements of said service marks and trademark; and

The ASSIGNOR agrees to cooperate with MACTEC for it to record this Assignment in the United States Patent & Trademark Office

IN WITNESS WHEREOF, ASSIGNOR has caused this Assignment to be duly executed by an authorized officer on this 20th day of November, 2000.

Environmental Science and Engineering, Inc.

By: 

Name: Nicholas J. Kravitz

Title: Assistant Secretary