

03-28-2001

ET

Docket No.: **D**



Y

not applicable

Tab settings

To the Honorable Commissioner of Pa

101650799

attached original documents or copy thereof.

1. Name of conveying party(ies):

TER-EL CO., Ltd.

2-23-01

- Individual(s)
- General Partnership
- Corporation-State
- Other Limited Liability Company
- Association
- Limited Partnership

Additional names(s) of conveying party(ies) Yes No

3. Nature of conveyance:

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

Execution Date: February 6, 2001

2. Name and address of receiving party(ies):

Name: DIETRICH INDUSTRIES, INC.

Internal Address: Suite 2226

Street Address: 500 Grant Street

City: Pittsburgh State: PA ZIP: 15219

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State Pennsylvania
- Other

If assignee is not domiciled in the United States, a domestic designation is Yes N
(Designations must be a separate document from Additional name(s) & address(es) Yes N

4. Application number(s) or registration numbers(s):

A. Trademark Application No.(s)
75-508,976

B. Trademark R



02-23-2001

U.S. Patent & TMO/TM Mail Rcpt Dt. #70

Additional numbers

Yes No

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

Name: Thomas C. Wettach

Internal Address: Cohen & Grigsby, P.C.

Street Address: 11 Stanwix Street, 15th Floor

City: Pittsburgh State: PA ZIP: 15222

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:

03-2026 for charge of deficiency and over payment credit

03/27/2001 TDIAZI 00000142 75508976

DO NOT USE THIS SPACE

01 FC:481

40.00 OP

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.

Thomas C. Wettach

Name of Person Signing

Thomas C. Wettach

Signature

February 23, 2001

Date

Total number of pages including cover sheet, attachments, and

4

TRADEMARK ASSIGNMENT

This Assignment is made as of February 6, 2001 between TER-EL CO., Ltd., an Ohio limited liability company ("**Assignor**") and DIETRICH INDUSTRIES, INC., a Pennsylvania corporation ("**Assignee**").

WHEREAS, Assignor is the owner of "SPAZZER", U.S. Trademark Application Number 75/508,976 filed June 26, 1998 and the goodwill associated therewith ("**Trademark**"); and

WHEREAS, Assignor desires to assign all right, title and interest it has in and to the Trademark and Assignee desires to be the sole and exclusive owner of the Trademark.


NOW, THEREFORE, in consideration of mutual assignments by and between the parties and other valuable consideration receipt of which is acknowledged and intending to be legally bound hereby:

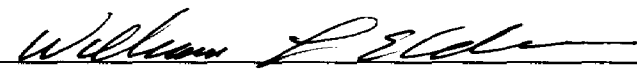
Assignor hereby assigns to Assignee all right, title and interest that Assignor owns or possesses in and to the Trademark and the goodwill associated therewith throughout the world. Assignor agrees to promptly execute and deliver to Assignee or its legal representatives at Assignor's expense any and all papers, instruments or affidavits necessary to carry out this assignment.

[SIGNATURE PAGE FOLLOWS]

SIGNATURE PAGE TO TRADEMARK ASSIGNMENT

TER-EL CO., LTD.

By: 
Name: _____
Title: Manager

By: 
Name: _____
Title: Manager

STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA)

On this 6th day of February, 2001, before me personally appeared Theodore Tesesczuk, of Ter-El Co., Ltd., known to me be as the person described in and who executed the foregoing instrument, and acknowledged that he executed the same under the authority of Ter-El Co., Ltd. as its free act and deed.

Robin Lockshine - Shell

Notary Public

ROBIN L. LOCKSHINE, Notary Public
State of Ohio

My Commission expires: My Commission Expires Sept. 30, 2003

(Notary Seal)

STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA)

On this 6th day of February, 2001, before me personally appeared W. (Frank) E. Tolson, of Ter-El Co., Ltd., known to me be as the person described in and who executed the foregoing instrument, and acknowledged that he executed the same under the authority of Ter-El Co., Ltd. as its free act and deed.

Robin Lockshine - Shell

Notary Public

ROBIN L. LOCKSHINE, Notary Public
State of Ohio

My Commission expires: _____
My Commission Expires Sept. 30, 2003

(Notary Seal)