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05-09-2001



Form PTO-1594 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002)

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U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

Tab settings

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

1. Name of conveying party(ies):

Post Tool, Inc.

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

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

3. Nature of conveyance:

- Assignment Merger Security Agreement Change of Name Other

Execution Date: April 19, 2001

2. Name and address of receiving party(ies)

Name: Western Supply Corporation

Internal Address:

Street Address: PO Box 13466

City: Salem State: OR Zip: 97039

- Individual(s) citizenship Association General Partnership Limited Partnership Corporation-State Oregon 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 registration number(s):

A. Trademark Application No.(s)

Serial No. 75531341

B. Trademark Registration No.(s)

Registration No. 1673748

Additional number(s) attached Yes No

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

Name: Howard M. Levine

Internal Address:

Street Address: Sussman Shank LLP 1000 SW Broadway, Ste 1400

City: Portland State: OR Zip: 97205

6. Total number of applications and registrations involved:

2

7. Total fee (37 CFR 3.41) \$ 65.00

- Enclosed Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

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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.

Howard M. Levine

Name of Person Signing

Signature

5/1/01

Date

5

Total number of pages including cover sheet, attachments, and document: 5 Mail documents to be recorded with required cover sheet information to: Commissioner of Patent & Trademarks, Box Assignments Washington, D.C. 20231

05/09/2001 GTOM11 00000016 75531341

01 FC:481 02 FC:482

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ASSIGNMENT OF TRADEMARK

WHEREAS, Post Tool, Inc., a Massachusetts corporation ("Assignor"), with an address of 135 American Legion Highway, Revere, Massachusetts 02151, has adopted, used and is using the trademark referenced on Schedule A attached hereto and incorporated herein by this reference ("Trademark");

WHEREAS, Assignor has applied to the United States Patent and Trademark Office for registration of the Trademark and such application is pending;

WHEREAS, Assignor and Western Supply Corporation, an Oregon corporation ("Assignee"), with an address of PO Box 13466, Salem, Oregon 97309, have entered into that certain Purchase Agreement dated March 12, 2001 ("Purchase Agreement"), pursuant to which Assignee is purchasing from Assignor certain assets (including, but not limited to, the Trademark, the above-referenced pending application for registration of the Trademark, and the good will of the business symbolized by the Trademark) used or otherwise related to Assignor's operation of seven retail stores engaged in the retail sale of power and hand tools; and

WHEREAS, pursuant to the Purchase Agreement and the Order Authorizing and Approving Sale of Certain Assets of the Debtor Free and Clear of All Liens Claims and Encumbrances Pursuant to 11 USC §§363(b), 303(f) and 105(a) and Approving Assumption and Assignment of Certain Real Property Leases Pursuant to 11 USC §365, entered on April 19, 2001 (United States Bankruptcy Court, District of Massachusetts, Eastern Division, Case No. 00-15431-CJK), Assignee desires to acquire from Assignor, and Assignor desires to assign and transfer to Assignee, the Trademark, the above-referenced pending application for registration of the Trademark, and the good will of the business symbolized by the Trademark.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor does hereby assign to Assignee all of Assignor's right, title, and interest in and to the Trademark, the above-referenced pending application for registration of the Trademark, and the good will of the business symbolized by the Trademark.

DATED: April 19, 2001

POST TOOL, INC.,
a Massachusetts corporation

By: 
Walter Spokowski, President

SCHEDULE A

Trademark

Identification Number

Date

Post Tool

Serial Number: 75531341

Filing Date:
August 5, 1998

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**TRADEMARK
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ASSIGNMENT OF TRADEMARK

WHEREAS, Post Tool, Inc., a Massachusetts corporation ("Assignor"), with an address of 135 American Legion Highway, Revere, Massachusetts 02151, has adopted, used and is using the trademark referenced on Schedule A attached hereto and incorporated herein by this reference ("Trademark"), which is registered in the United States Patent and Trademark Office;

WHEREAS, Assignor and Western Supply Corporation, an Oregon corporation ("Assignee"), with an address of PO Box 13466, Salem, Oregon 97309, have entered into that certain Purchase Agreement dated March 12, 2001 ("Purchase Agreement"), pursuant to which Assignee is purchasing from Assignor certain assets used or otherwise related to Assignor's operation of seven retail stores engaged in the retail sale of power and hand tools; and

WHEREAS, pursuant to the Purchase Agreement and the Order Authorizing and Approving Sale of Certain Assets of the Debtor Free and Clear of All Liens Claims and Encumbrances Pursuant to 11 USC §§363(b), 303(f) and 105(a) and Approving Assumption and Assignment of Certain Real Property Leases Pursuant to 11 USC §365, entered on April 19, 2001 (United States Bankruptcy Court, District of Massachusetts, Eastern Division, Case No. 00-15431-CJK), Assignee desires to acquire from Assignor, and Assignor desires to assign and transfer to Assignee, the Trademark, the above-referenced registration of the Trademark, and the good will of the business symbolized by the Trademark.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor does hereby assign to Assignee all of Assignor's right, title, and interest in and to the Trademark, the above-referenced registration of the Trademark, and the good will of the business symbolized by the Trademark.

DATED: April 19, 2001

POST TOOL, INC.,
a Massachusetts corporation

By: 
Walter Spokowski, President

SCHEDULE A

Trademark

Post Tool Today's Tool
Leader

Identification Number

Registration Number:
1673748

Date

Registration Date:
January 28, 1992

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