

06-15-2001



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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 **6-1-01**

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  
Effective Date  
Month Day Year

Merger

Change of Name

Other

Conveying Party

Mark if additional names of conveying parties attached

Name **TEXAS INDUSTRIES, INC.** Execution Date  
Month Day Year **3/1/01**

Formerly

Individual  General Partnership  Limited Partnership  Corporation  Association

Other

Citizenship/State of Incorporation/Organization **DELAWARE**

Receiving Party

Mark if additional names of receiving parties attached

Name **EXPANDED SHALE, CLAY AND SLATE INSTITUTE**

DBA/AKA/TA

Composed of

Address (line 1) **2225 East Murray-Holladay Road, Suite 102**

Address (line 2)

Address (line 3) **Salt Lake City** **UT** **84117**  
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  
Non-Profit

Other

Citizenship/State of Incorporation/Organization **DE**

06/14/2001 LMUELLER 00000157 2350458

FOR OFFICE USE ONLY

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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: 002313 FRAME: 0783

**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)

<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" value="2350458"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

**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.

Mark E. Brown

Name of Person Signing

*Mark Brown*

Signature

5/29/01

Date Signed

**ASSIGNMENT OF REGISTERED TRADEMARK**

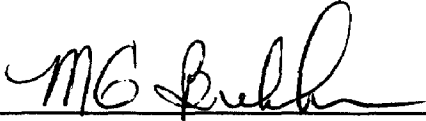
WHEREAS, **TEXAS INDUSTRIES, INC.**, a Delaware corporation with principal offices at 1341 W. Mockingbird Lane, Dallas, Texas 75247 ("Assignor") has adopted, used and is using a mark which is registered in the United States and Trademark Office, Registration No. 2,350,458, dated May 16, 2000 (the "Smartwall Systems Mark"); and

WHEREAS, **EXPANDED SHALE, CLAY AND SLATE INSTITUTE**, a trade association with principal offices at 2225 Murray-Holladay Road, Suite 102, Salt Lake City, Utah 84117 ("Assignee") is desirous of acquiring said mark and the registration thereof:

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, said **TEXAS INDUSTRIES, INC.** does hereby assign unto said **EXPANDED SHALE, CLAY AND SLATE INSTITUTE** all rights, title and interest in and to the Smartwall Systems Mark, together with the good will of the business symbolized by the Smartwall Systems Mark, and the above identified registration thereof.

EXECUTED, this 1<sup>st</sup> day of March, 2001.

**TEXAS INDUSTRIES, INC.**

By:   
Mel G. Brekhus  
Executive Vice President

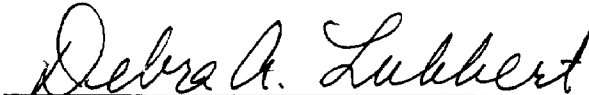
STATE OF TEXAS

§  
§  
§

COUNTY OF DALLAS

Before me, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Mel G. Brekhus, known to me to be the person and officer whose name is subscribed to the foregoing instrument entitled Assignment of Registered Trademark, and acknowledged to me that the same was the act of the said **TEXAS INDUSTRIES, INC.**, a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 1<sup>st</sup> day of March, 2001.

  
Notary Public in and for  
The State of Texas

**DEBRA A. LUBBERT**  
Notary Public in and for  
the State of Texas  
My Commission Expires 11-3-01