

06-20-2001

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



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

101754505

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

1. Name of conveying party(ies):

Rosen's, Inc.

6-15-01

- Individual(s) Association General Partnership Limited Partnership Corporation-State Minnesota 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:

2. Name and address of receiving party(ies)

Name: Midtech R&D, Inc.

Internal

Address:

Street Address: 1120 Lake Avenue

City: Fairmont State: MN Zip: 56031

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

B. Trademark Registration No.(s)

2,290,01 1,827,964

406

Additional number(s) attached Yes No

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

Name: Stephen E. Guetter

Internal Address:

Street Address: 1120 Lake Avenue, P. O. Box 933

City: Fairmont State: MN Zip: 56031

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)

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.

Thomas J. Rosen Name of Person Signing

Signature Date 5/31/01

Total number of pages including cover sheet, attachments, and document:

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

06/19/2001 TDIAZ1 00000113 2290011

01 FC:481 02 FC:482

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TRADEMARK REEL: 002315 FRAME: 0920

ASSIGNMENT OF TRADEMARKS AND SERVICEMARKS

WHEREAS, Rosen's, Inc., a Minnesota corporation (hereinafter "Assignor"), is the owner of the following trademarks and servicemarks:

1,827,964 dated March 29, 1994
2,290,011 dated November 2, 1999

(hereinafter "Trademarks and Servicemarks")

WHEREAS, Assignor has an undivided right, title and interest in and to the above-described Trademarks and Servicemarks;

WHEREAS, Midtech, R&D, Inc., a Minnesota corporation (hereinafter "Assignee"), wishes to acquire Assignor's undivided right, title and interest in and to said Trademarks and Servicemarks;

WHEREAS, Assignor desires to grant all right, title and interest in and to said Trademarks and Servicemarks immediately upon execution of this Assignment and effective from the date hereof;

NOW THEREFORE, for consideration paid, the receipt of which is hereby acknowledged,

1. Assignor sells, assigns, transfers, and sets over unto the Assignee, Assignor's entire undivided right, title and interest in and to said Trademarks and Servicemarks described above.
2. Assignor sells, assigns, transfers and sets over unto the Assignee any and all rights appurtenant to or deriving from said Trademarks and Servicemarks, including but not limited to any and all rights to the use thereof or profits or income therefrom.
3. Assignor intends to have all right, title, interest and use of the Trademarks and Servicemarks, assigned herein to vest in Assignee upon the execution of both this Assignment and the Trademark Recordation Forms required by the United States Patent and Trademark Office. Assignor shall take all necessary steps to properly and immediately file the Trademark Recordation Forms with the United States Patent and Trademark Office. Any delay in the filing of the Trademark Recordation Forms does not effect Assignee's right, title, interest and use of the Trademarks and Servicemarks assigned herein.

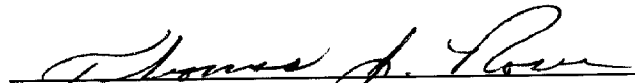
4. Assignor appoints Assignee as and for Assignor's true and lawful attorney, with full power of substitution, to institute and prosecute, and to defend, in Assignor or Assignee's name, or both, for Assignee's benefit, any and all proceedings at law or in equity or otherwise, which Assignee deems necessary, appropriate or helpful to perfect, assert, enforce or protect said trademarks and servicemarks and/or any rights appurtenant to or deriving from said letters patent. The foregoing appointment shall extend to each successor and assignee of Assignee.

Assignor represents and warrants to Assignee that Assignor has not previously assigned any of Assignor's undivided right, title, interest in or to said Trademarks or Servicemarks or said rights.

Executed this 31 day of May, 2001.

ASSIGNOR:

ROSEN'S, INC., a Minnesota corporation


By: Thomas J. Rosen
Its: Chief Executive Officer

STATE OF Minnesota)
COUNTY OF Martin) ss.

On this 31st day of MAY, 2001, before me, the undersigned, a Notary Public in and for the State of Minnesota, personally appeared Thomas J. Rosen, Chief Executive Officer of Rosen's, Inc., a Minnesota corporation, to me personally known and acknowledged that the execution of said instrument was a free and voluntary act on behalf of Rosen's, Inc.


Notary Public

