

07-27-2001

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TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- New
- 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
- Merger Effective Date
Month Day Year
- Change of Name
- Other

Conveying Party

Mark if additional names of conveying parties attached

Name James Heddon's Sons, Inc.

Execution Date
Month Day Year
 07172001

Formerly

- Individual General Partnership Limited Partnership Corporation Association
- Other
- Citizenship/State of Incorporation/Organization Michigan

Receiving Party

Mark if additional names of receiving parties attached

Name EBSCO Industries, Inc.

DBA/AKA/TA

Composed of

Address (line 1) Post Office Box 1943

Address (line 2)

Address (line 3) Birmingham Alabama 35201

- 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
- Other
- Citizenship/State of Incorporation/Organization Delaware

07/26/2001 LMUELLER 00000067 0389058

FOR OFFICE USE ONLY

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Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, DC 20231

TRADEMARK

REEL: 002335 FRAME: 0146

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" value="0389058"/>	<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"/>	<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:

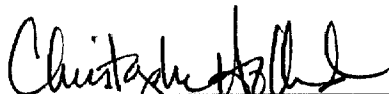
Yes

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.

Christopher A. Holland, Esq.



July 19, 2001

Name of Person Signing

Signature

Date Signed

Trademark Assignment

WHEREAS, James Heddon's Sons, Inc., a Michigan corporation, of 414 West Street, Dowagiac, Michigan 49047 ("Assignor"), is the owner of the trademark TORPEDO, U.S. Registration No. 0389058, dated July 22, 1941 (the "Mark"); and

WHEREAS, EBSCO Industries, Inc., a Delaware corporation, with its principal place of business at P.O. Box 1943, Birmingham, Alabama 35201 ("Assignee"), is desirous of acquiring the entire interest of the Mark;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, Assignor, by these presents does sell, assign and transfer unto the Assignee all of its right, title and interest in and to the said trademark described above, together with the goodwill of the business symbolized by said trademarks and registrations thereof, the same to be held and enjoyed by the said Assignee, for its own use and benefit and that of its successors, assigns and legal representatives, to the full end of the term for which said trademarks are granted, as fully and entirely as the same would have been held had this assignment and sale not been made, together with all claims for damages by reason of past infringement of said trademarks, with the right to sue for and collect the same for its own use and for the use of its successors, assigns or other legal representatives, subject to the rights of any licensees under any existing license agreements to which Assignor is a party or to the obligations under which Assignor may have succeeded or to which its right in said trademark is subject and subject further to any obligations to said licensees which Assignor may have; and said Assignor does hereby covenant and agree with the said Assignee to execute and deliver such other and further instruments and take such other and further actions as may be necessary or appropriate to transfer said trademark, claims for damages by reason of past infringement and right to sue and collect therefor to Assignee.

IN WITNESS WHEREOF, the undersigned corporation has caused this instrument to be executed at Fort Smith, Ark as of this 17th day of July, 2001.

JAMES HEDDON'S SONS, INC.

William H. Wilson

By: William H. Wilson

Its: Vice President

SUBSCRIBED and SWORN to before me this 17th of July, 2001.

Billie A. Howard
Notary Public

My Commission Expires: 8-15-10

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