

02-06-2002



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Docket No.:

6217.420

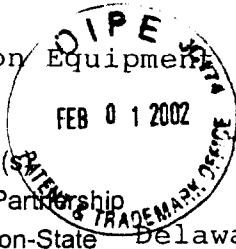
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To the Honorable Commissioner of Patents and Trademarks. Please return the attached original documents or copy thereof.

1. Name of conveying party(ies):

Marathon Equipment Company



2-1-02

- Individual(s)
- General Partnership
- Corporation-State Delaware
- Other

- Association
- Limited Partnership

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

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

Name: Delaware Capital Formation, Inc.

Internal Address: _____

Street Address: 1403 Foulk Road, Suite 102

City: Wilmington, State: DE ZIP: 19803

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

3. Nature of conveyance:

- Assignment Merger
- Security Agreement Change of Name
- Other

Execution Date: January 1, 2000

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

1,168,053

Additional numbers Yes No

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

Name: Joseph W. Berenato, III

Internal Address: _____

Street Address: Liniak, Berenato, Longacre & White, LLC, 6550 Rock Spring Drive, Suite 240
City: Bethesda, State: MD ZIP: 20817

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:

50-0548

02/06/2002 LMUELLER 00000039 1168053

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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.

Joseph W. Berenato, III

Name of Person Signing

Signature

2/1/02 ✓

Date

Total number of pages including cover sheet, attachments, and

TRADEMARK

REEL: 002437 FRAME: 0936

ASSIGNMENT OF INTELLECTUAL PROPERTY

WHEREAS, MARATHON EQUIPMENT COMPANY (DELAWARE), a Delaware corporation (hereinafter referred to as "Assignor"), whose mailing address is Highway 9, Vernon, Alabama 35922, is the sole owner of certain Intellectual Property (defined herein); and,

WHEREAS, DELAWARE CAPITAL FORMATION, INC., a Delaware corporation (hereinafter referred to as "Assignee") whose mailing address is 1403 Foulk Road, Suite, 102, Wilmington, Delaware, 19803, is desirous of acquiring the entire right, title and interest in the Intellectual Property;

NOW THEREFORE, in consideration of the sum of \$1.00 (ONE DOLLAR) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Assignor does hereby transfer unto said Assignee the entire right, title and interest in and to all intellectual property of the Assignor, whether now owned or hereafter acquired, whether common law or registered, including, but not limited to copyrights, patents, patent applications, trademarks, trademark applications, trade names, service marks, processes, logos, designs, drawings, and the intellectual property identified in Exhibit A attached hereto (collectively, the "Intellectual Property"); the same to be held and enjoyed by the Assignee for its use and enjoyment, and for its legal representatives and assigns, to the full end of the term for which said Intellectual Property rights are granted by law, as fully and entirely as the same would have been held by Assignor had this assignment and sale not been made

The Assignor hereby agrees to assign any and all Intellectual Property hereafter acquired by the Assignor and to execute any and all documents necessary to effectuate such assignment.

Executed as of the 1st day of January, 2000.

MARATHON EQUIPMENT COMPANY (DELAWARE)

By: *Phil Stratton*
Its: TREASURER

STATE OF ALABAMA)

COUNTY OF Jama)

I, the undersigned, a notary public, in and for said County in said State, hereby certify that Phil Stratton, whose name as Treasurer of Marathon Equipment Company (Delaware), a Delaware corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation, on the day the same bears date.

Given under my hand and official seal this 21 day of December, 2000

Ava Robinson
Notary Public

My Commission Expires: 2-6-2001

EXHIBIT A

U.S. TRADEMARK REGISTRATION

Mark

Registration No.

V.I.P. VERT-I-PACK (& Design)

1,168,053