

03-19-2002



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

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

1. Name of conveying party(ies): DIETRICH INDUSTRIES, INC.

- Individual(s) Association General Partnership Limited Partnership Corporation-State 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: February 1, 2002

2. Name and address of receiving party(ies)

Name: AEGIS METAL FRAMING LLC Internal Address: Street Address: 14515 NORTH OUTER FORTY City: Chesterfield State: MO Zip: 63017-5724

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

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No

4. Application number(s) or registration number(s): A. Trademark Application No.(s)

B. Trademark Registration No.(s) 1947357 2058400

Additional number(s) attached Yes No

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

Name: James R. Kyper, Esq. Internal Address: Kirkpatrick & Lockhart LLP Henry W. Oliver Building Street Address: 535 Smithfield Street City: Pittsburgh State: PA Zip: 15222

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: 11-1110 (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.

James R. Kyper, Esq. Name of Person Signing

Signature

February 18, 2002 Date

Total number of pages including cover sheet, attachments, and document: 4

03/18/2002 6TON11 0000062 1947357

01 FC:481 40.00 OP 02 FC:482 25.00 OP

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

TRADEMARK ASSIGNMENT

WHEREAS, Dietrich Industries, Inc., a Pennsylvania corporation having a principal place of business at One Mellon Bank center, Suite 2226, 500 Grant Street, Pittsburgh, PA 15219 (“Dietrich”), pursuant to the terms of that certain Formation Agreement between Dietrich and MiTek Industries, Inc., a Missouri corporation, relating to formation of Aegis Metal Framing, LLC dated the date hereof has agreed to assign its entire right, title and interest in and to certain trademarks, trademark applications and related common law rights, if any, in the marks listed on Schedule A hereto (the “Assets”) to Aegis Metal Framing LLC, having a principal place of business at 14515 North Outer Forty Chesterfield, Missouri 63017-5724 (“Aegis”); and

WHEREAS, Dietrich desires to memorialize the assignment of the Assets in the present document for recording in the United States Patent and Trademark Office, the Canadian Trademark Office and the Mexican Trademark Office, as the case may be.

NOW THEREFORE, to all whom it may concern, be it known that for and in consideration of the sum of One Dollar to it paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, Dietrich by these presents does hereby sell, assign and transfer unto Aegis its successors and assigns, its whole right, title and interest in and to the Assets, including the right to file trademark application(s) claiming priority from the Assets within the United States, Canada, and Mexico (the “Territory”), all Registrations obtained or to be obtained therefor within the Territory, together with the goodwill of Dietrich’s business in connection with which the Assets are used, and all rights and claims for damages and benefits arising because of past infringement or misappropriation of the Assets within the Territory.

IN WITNESS WHEREOF, Dietrich has caused this instrument to be signed by its duly authorized representative effective as of the 1<sup>st</sup> day of February, 2002

DIETRICH INDUSTRIES, INC.

By: Edmund L. Ponko  
Edmund L. Ponko  
President

SCHEDULE A

Country	Registration No.	Mark	Registration Date	Status	Owner
U.S.	2,058,400	<i>Sure-Span</i>		Registered	Dietrich Industries, Inc.
U.S.	1,947,357	<i>Ultra-Span</i>	1/9/96	Registered	Dietrich Industries, Inc. by assignment from MiTek Industries, Inc.