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Tab settings

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

1. Name of conveying party(ies):

Benchmark Chemical, Inc.

5-7-02

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

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

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

Name: EBSCO Industries, Inc.

Internal Address:

Street Address: Post Office Box 1943

City: Birmingham State: AL ZIP: 35201

- 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
- Security Agreement
- Other
- Merger
- Change of Name

Execution Date: April 24, 2002

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

2,139,057

Additional numbers

Yes No

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

Name: Robert J. Veal, Esq.

Internal Address: Burr & Forman LLP

Street Address: Post Office Box 830719

City: Birmingham State: AL ZIP: 35283

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:

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.

Robert J. Veal, Esq.

Name of Person Signing

Signature

5-7-02

Date

Total number of pages including cover sheet, attachments, and

TRADEMARK

ASSIGNMENT OF TRADEMARK

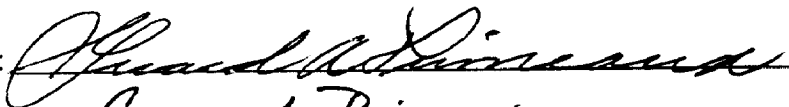
WHEREAS, BENCHMARK CHEMICAL, INC., of Post Office Box 53849, Lafayette, Louisiana 70505, is the owner of the "YUM" trademark, U.S. Registration No. 2,139,057, dated February 24, 1998; and

WHEREAS, EBSCO Industries, Inc., a Delaware corporation ("EBSCO"), of Post Office Box 1943, Birmingham, Alabama 35201, is desirous of acquiring the entire interest of the "YUM" trademark;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, BENCHMARK CHEMICAL, INC., by these presents does sell, assign and transfer unto the said EBSCO 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 trademark and registration thereof, the same to be held and enjoyed by the said EBSCO, 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 trademark 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 trademark, 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 BENCHMARK CHEMICAL, INC. is a party or to the obligations under which EBSCO may have succeeded or to which its right in said trademark is subject and subject further to any obligations to said licensees which BENCHMARK CHEMICAL, INC. may have; and said BENCHMARK CHEMICAL, INC. does hereby covenant and agree with the said EBSCO 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 EBSCO.

IN WITNESS WHEREOF, the undersigned corporation has caused this instrument to be executed on this the 24TH day of April, 2002.

BENCHMARK CHEMICAL, INC.

By: 
Gerard A. Primeaux
(Name)

Its: President/C.E.O.

STATE OF LOUISIANA)

COUNTY OF Acadia)

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that Gerard A. Primeaux, whose name as President/C.E.O. of Benchmark Chemical, Inc., a corporation organized under the laws of the State of Louisiana, 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 the within instrument, he, as such officer and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 24th day of April, 2002.

Radouk Bougevin

My commission expires life

(NOTARIAL SEAL)

CERTIFICATE OF EXPRESS MAILING

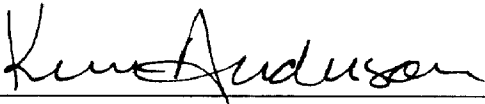
Applicant: EBSCO Industries, Inc., assignee
Reg. No: 2139057
Mark: YUM

EXPRESS MAIL NO.: EV055029661US

DATE OF DEPOSIT: May 7, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231.

Kim Anderson



Date: 5/7/02