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05-16-2002

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

102092513

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

1. Name of conveying party(ies): James Hardie Building Products, Inc. [] Individual(s) [] Association [] General Partnership [] Limited Partnership [X] Corporation-State Nevada [] Other Additional name(s) of conveying party(ies) attached? [] Yes [X] No

2. Name and address of receiving party(ies) Name: James Hardie Research Pty Limited Internal Address: Research & Product Development Bldg. Street Address: 10 Colquhoun Street City: Rosehill State: NSW Zip: 2142 AUSTRALIA [] Individual(s) citizenship [] Association [] General Partnership [] Limited Partnership [X] Corporation-State Australia [] Other If assignee is not domiciled in the United States, a domestic representative designation is attached: [X] Yes [] No (Designations must be a separate document from assignment) Additional name(s) & address(es) attached? [] Yes [] No

3. Nature of conveyance: [X] Assignment [] Merger [] Security Agreement [] Change of Name [] Other Execution Date: April 18, 2002

4. Application number(s) or registration number(s): A. Trademark Application No.(s) 75/216,862 76/297,448 76/297,168 B. Trademark Registration No.(s) 1,898,116 2,103,327 2,138,746 1,699,827 2,110,631 2,162,962 Additional number(s) attached [X] Yes [] No

5. Name and address of party to whom correspondence concerning document should be mailed: Name: William G. Lane, Esq. Internal Address: William G. Lane, Inc., P.C. Street Address: 16485 Laguna Canyon Road Suite 250 City: Irvine State: CA Zip: 92618

6. Total number of applications and registrations involved: 14 7. Total fee (37 CFR 3.41).....\$ 365.00 [X] Enclosed [] Authorized to be charged to deposit account

8. Deposit account number: (Attach duplicate copy of this page if paying by deposit account)

05/15/2002 TDIRZ1 00000141 75216862 01 FC: 481 40.00 OP 02 FC: 482 325.00 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. William G. Lane Name of Person Signing [Signature] Signature 4/25/2002 Date [32]

Total number of pages including cover sheet, attachments, and document: 32 Mail documents to be recorded with required cover sheet information to: Commissioner of Patent & Trademarks, Box Assignments Washington, D.C. 20231

RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

Tab settings ⇌ ⇌ ⇌ ▼ ▼ ▼ ▼ ▼ ▼ ▼

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

1. Name of conveying party(ies):

James Hardie Building Products, Inc.

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

Additional name(s) of conveying party(ies) attached? Yes No

2. Name and address of receiving party(ies)

Name: James Hardie Research Pty Limited

Internal

Address: _____

Street Address: _____

City: _____ State: _____ Zip: _____

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

3. Nature of conveyance:

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

Execution Date: _____

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

2,164,858 2,164,883 2,170,542
2,215,174 2,361,443

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DO NOT USE THIS SPACE

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Commissioner of Patent & Trademarks, Box Assignments
Washington, D.C. 20231

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Owner: James Hardie Research Pty Limited

Serial No.: 75/216,862

Filing Date: December 23, 1996

Int'l Class: 19

Mark: CEMBOARD

Certificate of Mailing

I hereby certify that this document, together with any described as being attached or enclosed, is being deposited with the United States Postal Service as first class mail, postage fully prepaid, addressed to Assistant Commissioner for Trademarks, Box Assignment, Washington, DC 20231, on 4/25/02

Executed on: 4/25/02

Maureen Vieira
Maureen Vieira

Assistant Commissioner for Trademarks
Box Assignment
Washington, DC 20231

POWER OF ATTORNEY
and
APPOINTMENT OF DOMESTIC REPRESENTATIVE

Dear Sir:

I, PETER SHAFRON, being duly sworn, state that I am Company Secretary of JAMES HARDIE RESEARCH PTY LIMITED, an Australian corporation (ACN 066 114 092), having offices at Research and Product Development Building, 10 Colquhoun Street, Rosehill, New South Wales 2142 Australia, owner of the above-captioned trademark and application for registration (hereinafter "Owner"), by reason of an Assignment effective on December 12, 2001 from JAMES HARDIE BUILDING PRODUCTS, INC., a Nevada corporation, which Assignment is being submitted concurrently herewith for recordation in the United States Patent and Trademark Office. I am fully authorized to execute this Power of Attorney on Owner's behalf.

POWER OF ATTORNEY AND NEW CORRESPONDENCE ADDRESS

Owner hereby appoints William G. Lane, William G. Lane, Inc., P.C., who is an attorney, its attorney with full power of substitution and revocation, to transact all business in the Patent and Trademark Office connected with any matters concerning the above-identified mark and

ASSIGNMENT

JAMES HARDIE BUILDING PRODUCTS, INC., a Nevada corporation, having offices at 26300 La Alameda, Suite 100, Mission Viejo, California 92691 (hereinafter referred to as "Assignor"), owns the entire right, title and interest in and to the following Trademarks and United States Trademark Registrations and pending applications for trademark registration:

<u>Trademark</u>	<u>Registration No.</u>	<u>Registration Date</u>
ULTRABOARD	1,898,116	6/6/95
CEMROC	1,699,827	7/7/92
FC PLANK	2,103,327	10/7/97
F.C.P.	2,110,631	11/4/97
FCP	2,138,746	2/24/98
CEMSOFFIT	2,162,962	6/2/98
CEMPLANK	2,164,858	6/9/98
CEMTRIM	2,164,883	6/9/98
CEMPANEL	2,170,542	6/30/98
CEMFLEX	2,215,174	12/29/98
SIDE WITH US	2,361,443	6/27/00

<u>Trademark</u>	<u>Application No.</u>	<u>Filing Date</u>
CEMBOARD	75/216,862	12/23/96
CEMPLANK AND DESIGN	76/297,448	8/10/01
MISCELLANEOUS DESIGN	76/297,168	8/10/01

WHEREAS CEMPLANK, INC., a Pennsylvania Corporation, sold, assigned, conveyed, transferred and delivered to Assignor, under the terms of the Asset Purchase Agreement By And Between Cemplank, Inc. And James Hardie Building Products, Inc. Dated As Of December 12, 2001, and the Assignment and Memorandum of Assignment, the above identified Trademarks, United States Trademark Registrations and pending applications for trademark registration.

WHEREAS, JAMES HARDIE RESEARCH PTY LIMITED, an Australian Corporation (Australian Corporate Identifier ACN 066 114 092), having offices at Research and Product Development Building, 10 Colquhoun Street, Rosehill, New South Wales 2142 Australia, (hereinafter referred to as "Assignee"), wishes to acquire the entire right, title and interest in and to the above Trademarks, Trademark Registrations, and pending applications for trademark registration;

NOW, THEREFORE, for good and valuable consideration the receipt of which is hereby acknowledged, Assignor hereby assigns and transfers to Assignee all its rights, title and interest in and to the above Trademarks, together with the goodwill of the business symbolized by the above Trademarks, the above United States Trademark Registrations, and the above pending applications for trademark registration.

Assignee hereby accepts the assignment and transfer of the above Trademarks, the United States Trademark Registrations, and the pending applications for trademark registration.

This assignment is effective as of December 12, 2001

ASSIGNOR:

JAMES HARDIE BUILDING PRODUCTS, INC.

DATE: 4/18/02

BY Virginia A. Lester
(Signature)
Virginia Lester, Secretary

ASSIGNEE:

JAMES HARDIE RESEARCH PTY LIMITED

DATE: 4/18/02

BY Peter Shafron
(Signature)
Peter Shafron, Company Secretary