

08-23-2002



OFFICE OF PUBLIC RECORDS

102200069

Dkt. No. T-582.6/
32.7

2002 AUG 17 AM 9:26 Corrected Assignment Coversheet

TO: **ATTN: Box ASSIGNMENTS/FEE**
Assistant Commissioner of Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

8/19/02

Please record the attached original document(s) or copy(ies) thereof.

SUBMISSION TYPE:

- New
- Resubmission (Non-Recordation) - Document ID _____
- Correction of PTO Error: Reel ___/Frame ___
- Corrective Document: Reel ___/Frame ___

CONVEYANCE TYPE:

- Assignment
 - License
 - Security Agreement
 - Merger
 - Nunc Pro Tunc Assignment
 - Change of Name
 - Other: Asset Purchase
- Effective Date: **January 1, 2002** (Day/Month/Year)
 Execution Date: May 9, 2002
 2 Total number of pages of attached conveyance document including any attachments.

CONVEYING PARTY(IES):

Name: Alamo Iron Works, Inc.
 Formerly:
 Individual
 Citizenship: _____
 Association
 General Partnership
 Limited Partnership
 Corporation - State: Texas
 Other: _____
 Address: 943 Coliseum Road
 San Antonio, Texas 78291

ADDITIONAL NAME(S) OF CONVEYING PARTIES ATTACHED?

- YES
- NO

RECEIVING PARTY(IES):

Name: AlaMark, L.P.
 Address: 943 Coliseum Drive, San Antonio, TX 78291

- Individual
 Citizenship: _____
- Association
- General Partnership
- Limited Partnership
- Corporation - State: _____
- Other: _____

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.) [] Yes [] No

ADDITIONAL NAME(S) OF RECEIVING PARTIES ATTACHED?

- YES
- NO

DOMESTIC REPRESENTATIVE:

Name:
Address:

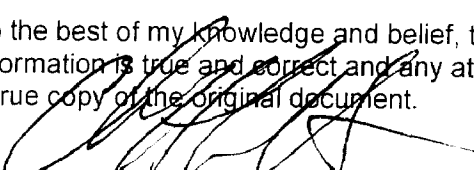
CORRESPONDENT:

Name: Cline H. White
 Address: Jackson Walker, LLP
 112 E. Pecan, Suite 2100
 San Antonio, TX 78205
 Telephone: 210-978-7700

08/22/2002 6TON11 00000233 072400 76322684

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

TRADEMARK
REEL: 2569 FRAME: 0945

APPLICATION NUMBER(S) OR PATENT NUMBER(S):	
A. Trademark Application No.(s): App. No. <u>76/322,684</u> filed 10/9/02 for "ALAMARK" " App. No. 76/322,683 filed 10/9/02 for ALAMARK Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	B. Trademark Registration No.(s): Reg. No. ___ issued ___ for "___" Additional numbers attached? <input type="checkbox"/> Yes <input type="checkbox"/> 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.  <hr/> CLINE H. WHITE 8/13/2 <hr/> DATE	TOTAL NUMBER OF PROPERTIES (APPLICATIONS AND REGISTRATIONS) INVOLVED 2 TOTAL FEE (37 CFR 3.41): \$65.00 <input checked="" type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to Charge Account No. 07-2400. DEPOSIT ACCOUNT NUMBER 07-2400. (Attach duplicate copy of this form if paying by deposit account.)

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an envelope addressed to the "Assistant Commissioner of Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513", as follows:

<u>37 CFR 1.8(a)</u>	<u>37 CFR 1.10</u>
<input checked="" type="checkbox"/> With sufficient postage as First Class Mail. Date: <u>8-13</u> , 2002	<input type="checkbox"/> As "Express Mail Post Office to Addressee", Mailing Label No. _____ Date: _____, 20__

CAROLYN GILL
Printed Name of Person Mailing Paper or Fee

Carolyn Gill
Signature of Person Mailing Paper or Fee

3202985v1 303032/00001

CONFIRMATORY ASSIGNMENT

WHEREAS, Alamo Iron Works, Inc., a Texas corporation, having its principal offices at 943 Coliseum Road, San Antonio, Texas 78291, has adopted, used, is using, and is the owner of the following trademarks now registered in the United States Patent and Trademark Office.

APP./REGIS.NO.	FILED/ISSUED DATE	TRADEMARK
76/322.684	Filed October 9, 2001	ALAMARK
76/322.683	Filed October 9, 2001	ALAMARK

WHEREAS, AlaMark Technologies, LP, A Texas Limited Partnership, ("Assignee"), having its principal place of business at P.O. Box 231, San Antonio, Texas 78291-0231, has purchased the assets of Alamo Iron Works, Inc. to which the marks pertains.

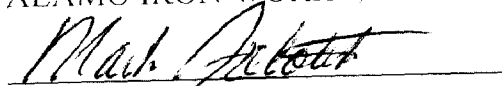
NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, effective January 1, 2002, ASSIGNOR does hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said trademark(s), and all renewals or reissues thereof; and all applications for trademarks which may hereafter be filed for said mark in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Trademark Laws of the United States or any international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; together with the goodwill of the business symbolized by the trademark and said applications to register said trademark; and any and all causes of action thereto that may have heretofore accrued in ASSIGNOR's favor.

AND ASSIGNOR HEREBY authorizes and requests the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue trademarks, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND ASSIGNOR HEREBY covenants that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND ASSIGNOR HEREBY further covenants and agrees that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said mark, and testify in any legal proceeding, sign all lawful papers, execute all divisions, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper trademark protection for said mark in all countries.

ALAMO IRON WORKS, INC.



Name: Mark Sobotik

Title: Vice President Finance

STATE OF TEXAS

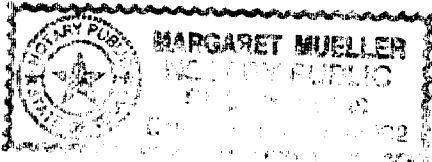
§
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COUNTY OF BEXAR

BEFORE ME, the undersigned authority, on this day personally appeared Mark Sobotik, in his capacity as Vice President Finance of Alamo Iron Works, Inc., known to me to be the person of that name, who signed the foregoing instrument, and acknowledged that he executed the foregoing on behalf of said assignor and pursuant to authority duly received.

GIVEN under my hand and seal of office this 9 day of May, 2002.

(Notary Seal)



Margaret Mueller

Notary Public, State of Texas

MARGARET MUELLER

Printed Name of Notary

Commission Expires 9-14-02

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