

10-02-2002



Form PTO-159
(Rev. 03/01)
OMB No. 0651-

102238828

FORM COVER SHEET
MARKS ONLY

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

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):

BPU Reynolds, Inc.

9-25-02

- Individual(s)
- Association
- General Partnership
- Limited Partnership
- Corporation-State DELAWARE
- 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: 08012001

2. Name and address of receiving party(ies)

Name: Sherwin Alumina, L.P.

Internal Address:

Street Address: Highway 361

City: Gregory State: TX Zip: 78359

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership TEXAS
- 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

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

A. Trademark Application No.(s)

78072641

B. Trademark Registration No.(s)

Additional number(s) attached Yes No

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

Name: Anita Clavell

Internal Address:

Street Address: 1545 Peachtree Street, NE, S700

City: Atlanta State: GA Zip: 30309

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:

(Attach duplicate copy of this page if paying by deposit account)

OFFICE OF PUBLISHED RECORDS
2002 SEP 25 AM 8:00
FINANCE SECTION

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.

W. Clayton Sparrow, Jr.

Name of Person Signing

W. Clayton Sparrow, Jr.
Signature

Nov 14, 2001

Date

Total number of pages including cover sheet, attachments, and document: 3

10/01/2002 BBYRNE 00000049 78072641

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40.00 DP

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

TRADEMARK
REEL: 002592 FRAME: 0089

ASSIGNMENT OF TRADEMARK AND TRADEMARK APPLICATION

WHEREAS, BPU REYNOLDS, INC. ("Assignor"), has filed for registration of the below-described mark ("Mark"),

BPU Reynolds, Inc. Sherwin Alumina Company S/N 78072641
plus Design

which Mark is now the subject of a pending trademark application in the United States Patent and Trademark Office (the "Application");

WHEREAS, SHERWIN ALUMINA, L.P. ("Assignee") desires to acquire the entire right, title, and interest in and to the Mark and the Application;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby assigns, transfers and conveys to Assignee Assignor's entire right, title and interest in and to the Mark together with the goodwill of the business symbolized by the Mark, and its interest in and to the Application. Assignor hereby authorizes and requests the Commissioner of Patents and Trademarks to assign the Application in full to Assignee and to issue the Certificate of Registration for the mark in the name of Assignee. Assignor represents and warrants that all of its right, title and interest in and to the Mark and the Application are and will be good, indefeasible, and free and clear of all claims or encumbrances of any nature or kind whatsoever, including, without limitation, claims that the Mark has already been transferred or assigned to another party or otherwise infringes the intellectual property rights of a third party (together, "Claims"). Assignor shall defend and hold Assignee, and its successors

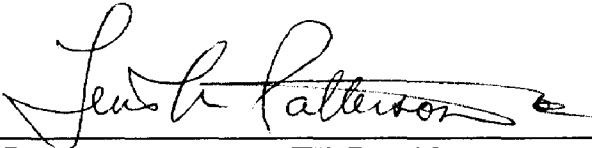
AT1 32050027v1

and assigns, harmless from, for or against any loss, damage or deficiency arising out of, or resulting from, any such Claims.

IN WITNESS THEREOF, Assignor has duly executed this assignment as of the 1st day of August, 2001.

ASSIGNOR:

BPU REYNOLDS, INC.

By: 

Lewis A. Patterson III, President

AT1 32050027v1

TRADEMARK
REEL: 002592 FRAME: 0091

Writer's direct phone
404-885-6687
Writer's e-mail
aclavell@seyfarth.com

September 24, 2002

TRADEMARKS ONLY

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

Re: Assignment of Trademark Application No.: 78072641

Dear Sir:

Enclosed for recording please find the following:

- 1.) Recordation cover sheet.
- 2.) Assignment Agreement.
- 3.) Filing fee of \$40.00.

If you have any questions or comments, please telephone me at the number referenced above.

Very truly yours,

SEYFARTH SHAW

Anita G. Clavell
II / Corporate Paralegal

Enclosure

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