

10/21/02



10-25-2002



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

Form PTO-159
(Rev. 03/01)
OMB No. 0651-0027 (exp. 5/31/2002)
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):

Summit Manufacturing, LLC

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

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

2. Name and address of receiving party(ies)

Name: New Summit Manufacturing, LLC

Internal Address: _____

Street Address: 1729 Shale Road

City: Quakertown State: PA Zip: 18951

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State
- Other Limited Liability Company -- PA

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: 9/4/02

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

A. Trademark Application No.(s) _____

B. Trademark Registration No.(s) 2,591,387

Additional number(s) attached Yes No

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

Name: Dawn Harrington

Internal Address: _____

Street Address: Greenberg Traurig, LLP

885 Third Avenue

City: New York State: NY Zip: 10022

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:

50-1561

DO NOT USE THIS SPACE

9. Signature.

10/24/2002 DBYRNE 00000164 501561 2591387

01 FC:8521

40.00 CH
Dawn Harrington

Name of Person Signing

Signature

October 18, 2002

Date

3

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

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

TRADEMARK
REEL: 002604 FRAME: 0431

ASSIGNMENT OF TRADEMARK

WHEREAS, SUMMIT MANUFACTURING, LLC, a Pennsylvania limited liability company with an address at 225 Kiwanis Boulevard, West Hazleton, PA 18201 (the "**Assignor**"), is the owner of United States Trademark Registration No. 2,591,387 representing the EXPRESS POLE trademark for telecommunications towers comprised of steel poles (the "**Mark**"); and

WHEREAS, New Summit Manufacturing, LLC, a Pennsylvania limited liability company with an address at 1729 Shale Road, Quakertown, PA 18951 ("**Assignee**"), is acquiring substantially all of Assignor's business and goodwill appurtenant to the Mark pursuant to that certain Asset Purchase Agreement dated September 4, 2002 (the "**Purchase Agreement**"), and Assignor has agreed pursuant to the Purchase Agreement to assign the Mark to Assignee; and

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Assignor hereby assigns, sells and transfers to Assignee all of Assignor's right, title, and interest in and to the Mark, together with the goodwill of the business symbolized by the Mark.

IN WITNESS WHEREOF, the Assignor has caused this Assignment to be executed as of this 4th day of September 2002.

SUMMIT MANUFACTURING, LLC

By: _____

Richard Gavinski, Vice President – Finance

NOTARIAL ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA)
) ss.:
COUNTY OF PHILADELPHIA)

On this 4th day of September 2002, before me personally appeared Richard Gavinski, to me known, who, being by me duly sworn, did depose and say that he is a duly authorized officer of **SUMMIT MANUFACTURING, LLC**, a Pennsylvania limited liability company described in and which executed the foregoing instrument; and that he signed his name thereto pursuant to the authorization of said limited liability company.

Joanne M. Murphy
Notary Public

STAMP AND SEAL

