

02-13-2003

Form PTO-1594
(Rev. 10/02)
OMB No. 0651-0027 (exp. 6/30/2005)



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

Tab settings

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

1. Name of conveying party(ies): 2-10-03
Industrial Power Service Company, Inc.

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

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

2. Name and address of receiving party(ies)
Name: Alpine Battery, Inc.

Internal
Address: _____

Street Address: 1510 West Main Street
City: Louisville State: KY Zip: 40203

- Individual(s) citizenship _____
- Association _____
- General Partnership _____
- Limited Partnership _____
- Corporation-State Michigan
- 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 Merger
 Security Agreement Change of Name
 Other _____

Execution Date: February 4, 2003

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s) 2,133,815
2,057,156

Additional number(s) attached Yes No

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

Name: Jack A. Wheat

Internal Address: Stites & Harbison
Suite 1800

Street Address: 400 West Market Street

City: Louisville State: KY Zip: 40202

6. Total number of applications and registrations involved: 2

7. Total fee (37 CFR 3.41).....\$ 65.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number: _____

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

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.

Jack A. Wheat
Name of Person Signing

Signature

February 5, 2003
Date

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

02/12/2003 ECDOPER 00000205 2133815

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

01 FC:8521
02 FC:8522

40.00 OP
25.00 OP

TRADEMARK
REEL: 002670 FRAME: 0622

ASSIGNMENT OF MARKS

This *nunc pro tunc* ASSIGNMENT OF MARKS is entered into by and between, Industrial Power Service Company, Inc., a Kentucky corporation, with its principal place of business at 1510 West Main Street, Louisville, Kentucky 40203 ("Industrial Power"), and Alpine Battery, Inc., a Michigan corporation of the same address ("Alpine").

WHEREAS, Industrial Power is the record owner of the registration of the mark POWERMAX and design on the Principal Register of the United States Patent and Trademark Office, namely Registration No. 2,133,815; and also the record owner of the registration of the mark MAX and design, namely Registration No. 2,057,156 on the Principal Register ("the Marks"); and

WHEREAS, on July 16, 2000 Alpine acquired certain of the assets of Industrial Power, including the Marks together with the goodwill of the business symbolized by said marks; and

WHEREAS, the parties to this Assignment of Marks neglected to previously perfect this assignment on the records of the United States Patent and Trademark Office;

NOW, THEREFORE, Industrial Power hereby acknowledges, effective July 16, 2000 the ownership in Alpine of all right, title, and interest in (including the right to bring action against any past or present infringers thereof), together with the goodwill symbolized by the following:


1. The mark POWERMAX and design; United States Patent and Trademark Registration No. 2,133,815; and

2. The mark MAX and design; United States Patent and Trademark Office

Registration No. 2,057,156.

This Assignment of Marks is executed this 4th day of ~~January~~ ^{February}, 2003.

Industrial Power Service Company, Inc.

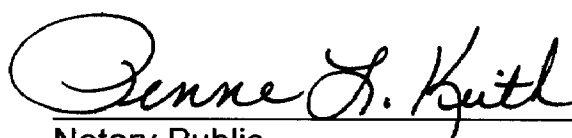
By: , President
Stephen A. Parker, President

Date: 2-4-03

SUBSCRIBED and SWORN to before me by Stephen A. Parker, as President of Industrial Power Service Company, Inc. this 4th day of ~~January~~ ^{February}, 2003.

My commission expires: 3-25-2008

[Seal]


Notary Public