

TRADEMARKS ONLY

TRADEMARKS ONLY



id Trademarks
or copy thereof.

102372923

1. Name of Party(ies) conveying an interest:
ICI Explosives USA Inc.

2. Name and address of party(ies) receiving an interest:
Name: Orica Explosives Technology Pty Ltd.

Address: 1 Nicholson Street
Melbourne, Victoria 3000
Australia

Entity:

- Individual(s) Association
- General Partnership Limited Partnership
- Corporation - Texas
- Other -

Entity

- Individual(s) Association
- Corporation -Australia General Partnership Limited Partnership
- Other -

1-30-03

3. Interest Conveyed:

- Assignment Change of Name
- Merger
- Other -

Citizenship

If not domiciled in the United States, a domestic representative designation is attached:

- Yes
- No

(The attached document must not be an assignment)

Execution Date -January 16, 2003

4. Application number(s) or registration number(s). Additional sheet attached? Yes No

A. Trademark Application No.(s)

B. Trademark Registration No.(s)
1,554,615

5. Please mail documents back to:

James R. Menker
Pillsbury Winthrop LLP
1600 Tysons Boulevard
McLean, Virginia 22102

6. Number of applications and registrations involved: 1

7. Amount of fee enclosed: \$ 40.00

8. If above amount is missing or inadequate, charge deficiency to our Deposit Account No. 03-3975 under Order No. 21058/301417
C# M#

DO NOT USE THIS SPACE

02/25/2003 TBIAZ1 00000089 033975 1554615

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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.

Signature

Total number of pages including cover sheet, attachments and document. (excluding duplicate cover sheet)

4

Attorney: James R. Menker
Date: January 30, 2003
Atty/Sec: JRM:eba

Tel: (703) 905-2145
Fax: (703) 905-2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Registrant Name: Orica Explosives Technology Pty Ltd.

Mark: APEX PLUS

Reg. No. 1,554,615

Class No. 13

Our Ref. No. 21058/301417

**POWER OF ATTORNEY
DESIGNATION OF REPRESENTATIVE**

The undersigned hereby appoints the attorneys named below of Pillsbury Winthrop LLP, P.O. Box 10500, McLean, Virginia 22102, (703) 905-2000, and all members of that firm and all other attorneys associated with that firm, to file this declaration, and to transact all business in the Patent and Trademark Office connected therewith. The undersigned further hereby designates Pillsbury Winthrop LLP, whose postal address is P.O. Box 10500, McLean, Virginia 22102, as a representative upon whom notices or processes affecting the mark may be served.

Please direct all communications to James R. Menker at (703) 905-2145 or Paul W. Kruse at (703) 905-2120.

Orica Explosives Technology Pty Ltd

By: 

Name: James R. Menker

Title: Registrant's Attorney

Date: January 30, 2003

DEED OF ASSIGNMENT

THIS DEED is made the 16th day of January 2012

BETWEEN:

ICI EXPLOSIVES USA INC., whose principal office is at 15301 Dallas Parkway, #1200, Dallas, Texas, 75248-4629 (formerly registered as Atlas Powder Company), (hereinafter called "the Assignor") of the one part

AND

ORICA EXPLOSIVES TECHNOLOGY PTY LTD. ACN 075 659 353, whose principal office is at 1 Nicholson Street, Melbourne, Victoria, 3000, Australia, (hereinafter called "the Assignee") of the other part.

WHEREAS

- A. The Assignor is the proprietor in the United States of America of Trade Mark Registration No. 1554615 - APEX PLUS in Class 13 (hereinafter referred to as "the said trade mark").
- B. The Assignor and the Assignee have agreed that the said trade mark will be transferred to the Assignee in accordance with this agreement.

NOW THIS DEED WITNESSES:

- 1. For good and valuable consideration the Assignor hereby assigns, transfers and sets over all the right, title and interest of the Assignor in and to the said trade marks together with the goodwill of the business concerned in the goods in respect of which the trade marks are registered to the Assignee absolutely together with all claims, demands, causes of action and rights of action for infringement or otherwise accrued or accruing and all rights to costs, damages, profits, penalties and all other relief in respect thereof.

IN WITNESS WHEREOF the parties hereto have executed these presents as and of the day and year first hereinbefore written.

SIGNED for and on behalf of ICI EXPLOSIVES USA INC. in the presence of:

Donald S. Goodwin

Signature of Witness

DONALD S. GOODWIN
Name of Witness (block letters)

Controller
Occupation of Witness

C. M. Erickson

C. M. ERICKSON
Name of Signatory (block letters)

PRESIDENT, ICI EXPLOSIVES USA INC
Title

SIGNED for and on behalf of ORICA EXPLOSIVES TECHNOLOGY PTY LTD in the presence of:

A. Cook
Signature of Witness

ANNETTE COOK
Name of Witness (block letters)

ASSISTANT COMPANY SECRETARY
Occupation of Witness

Ray R. Rose

Ray R. Rose
Name of Signatory (block letters)

Chief Risk Officer
Title
Director

mg



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Registrant Name: Orica Explosives Technology Pty Ltd

Marks: APEX PLUS

Reg. No. 1,554,615

Our Ref. No. 21058/301417

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Sir:

The following Trademark Processing Fees are due in connection with this document:

Fee Code 8521, Recording Trademark Assignment, in the amount of \$40.00

Fee Code 8522, For Second/Subsequent marks in the same document, in the amount of \$_____

Please charge these fees to Deposit Account No. 03-3975, 21058/301417.

Filed by EBA on January 30, 2003.

Respectfully submitted,

Orica Explosives Technology Pty Ltd

By: [Signature]
James R. Menker
Paul W. Kruse

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Registrant Name: Orica Explosives Technology Pty Ltd

Marks: APEX PLUS

Reg. No. 1,554,615

Our Ref. No. 21058/301417

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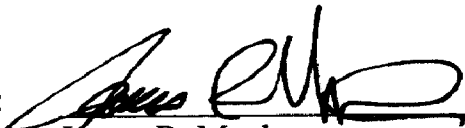
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Orica Explosives Technology Pty Ltd

By:



James R. Menker
Paul W. Kruse