

8/25/03

08-27-2003

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



102536458

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

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

1. Name of conveying party(ies): Joseph Transportation, Inc.
Individual(s) Association General Partnership Limited Partnership Corporation-State Delaware Other
Additional name(s) of conveying party(ies) attached? Yes No

2. Name and address of receiving party(ies) Name: The David J. Joseph Company Internal Address: Mary Jo Colebrook Street Address: 300 Pike Street City: Cincinnati, State: Ohio Zip: 45202
Individual(s) citizenship Association General Partnership Limited Partnership Corporation-State Delaware 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: 8/11/2003

4. Application number(s) or registration number(s): A. Trademark Application No.(s) B. Trademark Registration No.(s) 2433613
Additional number(s) attached Yes No

5. Name and address of party to whom correspondence concerning document should be mailed: Name: The David J. Joseph Company Internal Address: Mary Jo Colebrook 300 Pike Street Street Address: City: Cincinnati, State: Ohio Zip: 45202

6. Total number of applications and registrations involved: 1
7. Total fee (37 CFR 3.41): \$ 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. PAUL G. JANTSCH Signature Date 8/11/03

08/26/2003 LMUELLER 00000330 2433613 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: 002811 FRAME: 0169

TRADEMARK ASSIGNMENT

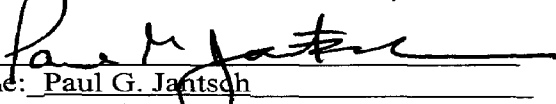
THIS AGREEMENT is effective as of August 11, 2003.

WHEREAS, Joseph Transportation, Inc., a corporation organized and existing under the laws of the State of Delaware, having an address at 300 Pike Street, Cincinnati, Ohio 45202 (hereinafter referred to as "Assignor"), has adopted, acquired, used and is using exclusively in its business the trademark listed on Schedule A attached hereto; and

WHEREAS, The David J. Joseph Company, a corporation organized and existing under the laws of the State of Delaware (hereinafter referred to as "Assignee") is desirous of acquiring all right, title and interest in and to said trademark by virtue of the merger of Joseph Transportation, Inc. into The David J. Joseph Company;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby assign unto Assignee, its successors and assigns all of its right, title and interest in and to the trademark, together with all the goodwill of the business symbolized by said mark, and together with the right to sue and collect damages and/or profits for past infringements of said mark, the intent hereof being to substitute Assignee in the place of Assignor.

JOSEPH TRANSPORTATION, INC.

By: 
Name: Paul G. Jantsch
Title: President

STATE OF OHIO)
) ss:
COUNTY OF HAMILTON)

On this 11th day of August, 2003 before me personally appeared Paul G. Jantsch, to me personally known, who, being duly sworn, did say that he is President of Joseph Transportation, Inc., and that he duly executed the foregoing instrument for and on behalf of said company being duly authorized to do so and that said individual acknowledged said instrument to be the free act and deed of said corporation.


Notary Public

MARY JOANN COLEBROOK
Notary Public, State of Ohio
My Commission Expires April 25, 2007

EXHIBIT A TO TRADEMARK ASSIGNMENT

Trademark

Word Mark J JOSEPH TRANSPORTATION
Goods and Services IC 039. US 100 105. G & S: TRANSPORTATION OF GOODS FOR OTHERS BY RAIL; LEASING OF RAILCARS AND LOCOMOTIVES; PROVIDING INFORMATION ON THE ADMINISTRATION OF RAILCARS VIA A GLOBAL COMPUTER NETWORK. FIRST USE: 20000103. FIRST USE IN COMMERCE: 20000103
IC 035. US 100 101 102. G & S: ON-LINE COMPUTERIZED TRACKING SERVICES FOR RAILCARS. FIRST USE: 20000103. FIRST USE IN COMMERCE: 20000103
Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code 261709
Serial Number 76015501
Filing Date April 3, 2000
Published for Opposition December 12, 2000
Registration Number 2433613
Registration Date March 6, 2001
Owner (REGISTRANT) Joseph Transportation, Inc. CORPORATION DELAWARE P.O. Box 1077 Cincinnati OHIO 452011077
Attorney of Record MARGARET A LAWSON
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TRANSPORTATION" APART FROM THE MARK AS SHOWN
Description of Mark The mark consists in part of the letter "J" in a stylized design.
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE