

Form PTO-1594  
(Rev. 03/01)

OMB No. 0651-0027 (exp. 5/31/2002)

**RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY**U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office**Attorney's Docket No. 015291-131**

To the Director of the United States Patent and Trademark Office: Please record the attached original documents or copy thereof.

**1. Name of conveying party(ies):**

Rinker Materials Western, Inc.

- ☐ Individual(s)                      ☐ Association  
☐ General Partnership              ☐ Limited Partnership  
☐ Corporation-State  
☒ Other Delaware Corporation

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No**3. Nature of conveyance:**

- ☒ Assignment                      ☐ Merger  
☐ Security Agreement              ☐ Change of Name  
☐ Other

Execution Date: January 14, 2004

**2. Name and address of receiving party(ies):**

Name: Lafarge North America Inc.

Internal Address:

Street Address: 12950 Worldgate Drive, Suite 500

City: Herndon State: VA Zip: 20170

- ☐ Individual(s) Citizenship  
☐ Association  
☐ General Partnership  
☐ Limited Partnership  
☐ Corporation-State  
☒ Other Maryland Corporation

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) &amp; address(es) attached?

☐ Yes ☒ No**4. Application number(s) or registration number(s):**

A. Trademark Application No(s).

76/419,507

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: Bassam N. Ibrahim

Address:

Burns, Doane, Swecker & Mathis, L.L.P.  
 Customer Number 2 1 8 3 9  
 P.O. Box 1404  
 Alexandria, Virginia 22313-1404

**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☐ Credit card. Form PTO-2038 is attached.**8. Deposit account number:**

02-4800

(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.

Bassam N. Ibrahim

Name of Person Signing

Signature

October 5, 2004

Date

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

Mail documents to be recorded with required cover sheet information to:

Director of the United States Patent and Trademark Office / Mail Stop Assignment Recordation Services  
 P.O. Box 1450 / Alexandria, VA 22313-1450

I hereby certify that this correspondence is being submitted by facsimile transmission to the Director of the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, to the following facsimile number:

Facsimile Number: 703.308.9723

Date of Transmission: October 5, 2004

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Florence Goodman REEL: 002951 FRAME: 0473

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RECOR  
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03-29-2004



Attorney Docket No. 015291-131

To the Honorable Commissioner of Patents and Trademarks

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ments or copy thereof.

1. Name of conveying party(ies):  
Rinker Materials Western, Inc.

☐ Individual(s) ☐ Association  
☐ General Partnership ☐ Limited Partnership  
☒ Corporation - 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:

11/11/2004

2. Name and address of receiving party(ies):

Name: Lafarge North America Inc.

Address: 12950 Worldgate Drive, Suite 500

Herndon, Virginia 20170

☐  
 Individual(s)

☐  
 Association

☐  
 General Partnership

☐  
 Limited Partnership

☒  
 Corporation - Maryland

☐  
 Other:

If assignee is not domiciled in the United States, a domestic  
 representative designation is attached: ☐ Yes ☐ No  
 (Designation 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)

76/419,507

B. Trademark Registration No.(s)

Additional numbers attached? ☐ Yes ☒ No5. Name and address of party to whom correspondence  
concerning document should be mailed:

Name: Bassam N. Ibrahim, Esq.

Address: Burns, Doane, Swecker &amp; Mathis

Post Office Box 1404

Alexandria, Virginia 22313-1404

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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.

Bassam N. Ibrahim, Esq.  
 Name of Person Signing

Signature

March 8, 2004  
 Date

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

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 REEL: 002951 FRAME: 0474

## TRADEMARK ASSIGNMENT

This Trademark Assignment (the "Assignment") is made as of 14 January, 2004 by Rinker Materials Western, Inc., a Delaware corporation, with its principal place of business at 1501 Belvedere Road, West Palm Beach, Florida, 33406 ("Assignor") to Lafarge North America Inc., a Maryland corporation, with its principal place of business at 12950 Worldgate Drive, Suite 500, Herndon, Virginia, 20170 ("Assignee").

Assignor desires to assign to Assignee, and Assignee desires to acquire from Assignor, all of Assignor's right, title and interest in and to the trademark ULTRA PERFORMANCE CONCRETE, U.S. Application Serial No. 76/419507, and the resulting trademark registration (yet to be assigned) as set forth on Exhibit A hereto (the "Trademarks"), together with the good will of the business symbolized thereby.

NOW, THEREFORE, in consideration of the premises set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Assignment. Assignor hereby grants, assigns and conveys to Assignee all of its right, title and interest in and to the Trademarks, together with the good will of the business symbolized thereby.
2. Title. Assignor hereby represents and warrants that it has not heretofore granted any license, right or privilege with regard to the Trademarks, or in any other way encumbered the same, and that it has the full right to convey, free of licenses and encumbrances, all right, title and interest in and to the Trademarks.
3. Right to Sue for Past Infringement. Assignor also assigns to Assignee all claims for past damages by reason of past infringement or misappropriation of the Trademarks, with the right to sue for and collect same for its own use and behalf and for the use and on behalf of Assignee's successors, assigns or other legal representatives.
4. Cooperation. Assignor agrees to execute, acknowledge and deliver, or cause to be executed, acknowledged and delivered, such further instruments and documents and to perform such further acts as may be reasonably requested by Assignee to effectuate more fully the transactions contemplated by this Assignment.

5. Binding Effect The terms, covenants and provisions of this Assignment shall inure to the benefit of Assignee, its successors and other legal representatives, and shall be binding upon Assignor, its successors, assigns and other legal representatives.

Rinker Materials Western, Inc.  
(Assignor)

By: [Signature]  
Name: Christopher J Murphy  
Title: President

Lafarge North America Inc.  
(Assignee)

By: [Signature]  
Name: Timothy Power  
Title: Assistant General Counsel

**EXHIBIT A****U.S. TRADEMARK APPLICATION/REGISTRATION**

<u>Mark</u>	<u>Application No.</u>	<u>Status</u>	<u>Registration No.</u>
ULTRA PERFORMANCE CONCRETE	76/419507	Published	(yet to be assigned)