

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

RECORDATION FORM COVER SHEET TRADEMARKS ONLY

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

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): Ohio Machinery Co. [] Individual(s) [] Association [] General Partnership [] Limited Partnership [x] Corporation-State Ohio [] Other Additional name(s) of conveying party(ies) attached? [] Yes [x] No

2. Name and address of receiving party(ies) Name: IROCK Crushers LLC Internal Address: Street Address: 5531 Canal Road City: Valley View State: OH Zip: 44125 [] Individual(s) citizenship [] Association [] General Partnership [] Limited Partnership [x] 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: [x] Assignment [] Merger [] Security Agreement [] Change of Name [] Other Execution Date: November 22, 2004

4. Application number(s) or registration number(s): A. Trademark Application No.(s) B. Trademark Registration No.(s) 2,212,363 2,345,933 Additional number(s) attached [] Yes [x] No

5. Name and address of party to whom correspondence concerning document should be mailed: Name: Howard G. Shimola Internal Address: Street Address: Pearne & Gordon LLP 1801 East Ninth Street, Suite 1200 City: Cleveland State: OH Zip: 44114-3108

6. Total number of applications and registrations involved: 2 7. Total fee (37 CFR 3.41): \$ 65.00 [] Enclosed [x] Authorized to be charged to deposit account

8. Deposit account number: 16-0820

DO NOT USE THIS SPACE

9. Signature. Howard G. Shimola Name of Person Signing [Signature] Signature December 2, 2004 Date

Total number of pages including cover sheet, attachments, and document: 6

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

CH \$65.00 160820 2212363

ASSIGNMENT OF PATENT AND TRADEMARK RIGHTS

BE IT KNOWN THAT in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, Ohio Machinery Co., a corporation of the state of Ohio, located at 3993 East Royalton Road, Broadview Heights, Ohio 44147, hereinafter called ASSIGNOR, has as of 11/22/04, sold, assigned, and transferred to IROCK Crushers LLC, a corporation of the state of Delaware, located at 5531 Canal Road, Valley View, Ohio 44125, and its successors and assigns, all hereinafter called ASSIGNEE:

1. All right, title and interest in the United States and throughout the world in and to any inventions, patent rights, patents, and applications for patent, including without limitation the entire right, title, and interest in and to the United States patent noted in Schedule A attached hereto and made a part hereof, and the entire right, title, and interest in the United States and throughout the world in and to the inventions to which said patents pertain, and in and to any corresponding foreign patents or patent applications, registrations, or inventor's certificates, together with all of the rights and privileges granted and secured by said patents or patent applications, registrations, or certificates, including without limitation all claims, demands, and rights of action which ASSIGNOR may have had against others on account of any past infringement of any of said patents, with the right in ASSIGNEE to sue

for and obtain all relief to which ASSIGNOR may have been entitled by reason of any such past infringement, said entire right, title, and interest to be held and enjoyed by ASSIGNEE for its own use and benefit and for the use and benefit of its successors and assigns, to the full end of the term for which said patents, registrations, or certificates may be granted, as fully and entirely as the same would have been held and enjoyed by said ASSIGNOR had this assignment and sale not been made.

2. All right, title, and interest in the United States and throughout the world in and to any trademarks or service marks, including without limitation the entire right, title, and interest in and to the United States registrations listed on Schedule B attached hereto and made a part hereof, and the entire right, title, and interest in the United States and throughout the world in and to the marks to which said registrations pertain, together with the good will of the business associated with the marks, and in and to any corresponding registrations and applications for registration throughout the world, together with the good will of the business associated with each of the marks to

which said registrations pertain and the right to sue for past infringement of each of such marks.

OHIO MACHINERY CO.

By: Kenneth E. Taylor
Kenneth E. Taylor
Title: President

STATE OF OHIO)
)ss:
COUNTY OF CUYAHOGA)

On this 22nd day of November, 2004, before me appeared Kenneth E. Taylor, the person who signed this instrument, who acknowledged that he signed it as a free act on behalf of the identified corporation with authority to do so.

W.C. Keal
Notary Public

(SEAL)

W.C. KEAL, Notary Public
In and for the State of Ohio
My Commission Expires July 19, 2009

SCHEDULE APATENTS

<u>U.S. PATENT NO.</u>	<u>ISSUE DATE</u>	<u>TITLE</u>
5,647,545	July 15, 1997	PORTABLE CRUSHER FOR CONCRETE
5,878,967	March 9, 1999	PORTABLE SCREEN PLANT
6,186,311	February 13, 2001	SELF-TRANSPORTING MULTIPLE CONVEYOR SYSTEM

SCHEDULE BTRADEMARK REGISTRATIONS

<u>REGISTRATION NO.</u>	<u>REGISTRATION DATE</u>	<u>MARK</u>
2,212,363	December 22, 1998	IROCK
2,345,933	April 25, 2000	AUTOMAG