

06-24-2004

FORM PTO-1594
1-31-92



U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

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copy thereof.

To the Honorable Commissioner of Patents and Traden.	
<p>1. Name of conveying party(ies): New NGC, Inc. G. 16.04</p> <p><input type="checkbox"/> Individual(s) <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation-State of Delaware <input type="checkbox"/> Other _____</p> <p>Additional name(s) of conveying parties(ies) attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies): Name: <u>National Gypsum Properties, LLC</u> Internal Address: _____ Street Address: <u>2001 Rexford Road</u> City: <u>Charlotte</u> State: <u>NC</u> Zip: <u>28211</u></p> <p><input type="checkbox"/> Individual(s) citizenship _____ <input type="checkbox"/> Association _____ <input type="checkbox"/> General Partnership _____ <input type="checkbox"/> Limited Partnership _____ <input type="checkbox"/> Corporation-State _____ <input checked="" type="checkbox"/> Other - Delaware Limited Liability Corporation</p> <p>If assignee is not domiciled in the United States, a domestic representative designation is attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Designation must be a separate document from Assignment)</p> <p>Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>3. Nature of Conveyance:</p> <p><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____</p> <p>Execution Date: <u>March 9, 2004</u></p>	<p>4. Application number(s) or registration number(s):</p> <p>A. Trademark Application No.(s) B. Trademark registration No.(s): <u>2,420,018; 2,468,194 and 2,490,837</u></p> <p>Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: <u>Angela M. Fifelski</u> Internal Address: <u>ICE MILLER</u> Street Address: <u>One American Square, Box 82001</u> City: <u>Indianapolis</u> State: <u>Indiana</u> ZIP: <u>46282</u></p>	<p>6. Total number of applications and registrations involved: <u>3</u></p> <p>7. Total fee (37 CFR 3.41): \$ <u>90.00</u> <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account</p> <p>8. Deposit account number: <u>09-0007</u> (Attach duplicate copy of this page if paying by deposit account)</p>
DO NOT USE THIS SPACE	
<p>9. Statement and signature.</p> <p><i>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.</i></p> <p><u>Angela M. Fifelski</u> <u>Angela M. Fifelski</u> <u>6-14-2004</u> Name of Person Signing Signature Date</p> <p>Total number of pages including cover sheet: <u>4</u></p>	
<p>OMB No. 0651-0011 (exp 4/94)</p> <p style="text-align: center;">Do not detach this portion</p> <p>Mail documents to be recorded with required cover sheet information to:</p> <p style="text-align: center;">Mail Stop Assignment Recordation Services Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450</p> <p>06/23/2004 MGETACHE 00000122 2420018 01 FC:8521 40.00 OP 02 FC:8522 50.00 OP</p> <p>Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231 and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503 1377368</p>	

TRADEMARK
REEL: 002997 FRAME: 0353

TRADEMARK ASSIGNMENT

This trademark assignment is made as of the 9th day of March, 2004 by New NGC, Inc., (hereinafter "Assignor"), a Delaware corporation, having a principal place of business at 2001 Rexford Road, Charlotte, North Carolina 28211, U.S.A. in favor of National Gypsum Properties, LLC (hereinafter "Assignee"), a limited liability company organized under the laws of the State of Delaware, having a principal place at business at 2001 Rexford Road, Charlotte, North Carolina 28211, U.S.A.

WHEREAS, Assignor is the owner of, has adopted, and used the marks in the attached Schedule A (hereinafter collectively referred to as the "Trademarks"), which are registered in the U.S. Patent and Trademark Office; and

WHEREAS, Assignee desires to acquire all right, title and interest in and to each of the Trademarks, and the trademark registrations and applications for registration thereof of the Trademarks, together with all the goodwill therein arising from the use of and symbolized by such Trademarks indicated therein; and


NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor does hereby sell, assign, transfer and convey unto said Assignee all right, title and interest in and to the Trademarks, together with the goodwill of the business symbolized by the Trademarks, pursuant to 15 U.S.C. §1060.

Assignee hereby accepts the assignment, sale, transfer and conveyance of the Trademarks and the associated goodwill.

IN WITNESS THEREOF, this Assignment has been duly executed as of the date first above written.


New NGC, Inc.

By:


Samuel A. Schiffman,
Vice President, General Counsel & Secretary

National Gypsum Properties, LLC

By:


R. Page Odom,
President

SCHEDULE A

<u>Mark</u>	<u>Registration No.</u>
PERMA BASE FLEX	2,420,018
PERMA BASE	2,468,194
PERMA BASE FLEX & Design	2,490,837