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12/22/2004  
700140647Form PTO-1594 (Rev. 06/04)  
OMB Collection 0551-0027 (exp. 5/30/2005)U.S. DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

# **RECORDATION FORM COVER SHEET TRADEMARKS ONLY**

To the Director of the U. S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

**1. Name of conveying party(ies)/Execution Date(s):**Vulcan Tool Corporation,  
a Massachusetts  
corporation

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

Citizenship (see guidelines)

Execution Date(s) 12-22-04Additional names of conveying parties attached? ☐ Yes ☒ No**3. Nature of conveyance:**

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

**2. Name and address of receiving party(ies)**Additional names, addresses, or citizenship attached? ☐ Yes ☒ NoName: VTC, Inc.

Internal

Address: 1212 Strong StreetStreet Address: 1212 Strong StreetCity: CincinnatiState: OhioCountry: USA Zip: 45223

- ☐ Association      Citizenship \_\_\_\_\_  
☐ General Partnership      Citizenship \_\_\_\_\_  
☐ Limited Partnership      Citizenship \_\_\_\_\_  
☒ Corporation      Citizenship \_\_\_\_\_  
☐ Other \_\_\_\_\_      Citizenship \_\_\_\_\_

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)**4. Application number(s) or registration number(s) and identification or description of the Trademark.**

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

1,122,172; 653,993; 661,889; 570,856;  
373,060Additional sheet(s) attached? ☐ Yes ☒ No

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):

**5. Name & address of party to whom correspondence concerning document should be mailed:**Name: Amy BrownInternal Address: c/o KTBHStreet Address: 255 E. Fifth St.Suite 2400City: CincinnatiState: Oh Zip: 45202Phone Number: 513-721-4532Fax Number: 513-762-0037Email Address: abrown@katztell.com**6. Total number of applications and registrations involved:**5**7. Total fee (37 CFR 2.8(b)(6) & 3.41)** \$ 140.00

- ☒ Authorized to be charged by credit card  
☐ Authorized to be charged to deposit account  
☐ Enclosed

**B. Payment Information:**a. Credit Card Last 4 Numbers 4478  
Expiration Date 8/06

b. Deposit Account Number \_\_\_\_\_

Authorized User Name \_\_\_\_\_

A. Signature: Amy E. Brown

Signature

12/22/04  
DateAmy E. Brown

Name of Person Signing

Total number of pages including cover sheet, attachments, and document 5Documents to be recorded (including cover sheet) should be faxed to (703) 306-5885, or mailed to:  
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

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**ASSIGNMENT OF TRADEMARKS**

**THIS ASSIGNMENT OF TRADEMARKS** (the "Assignment") is made pursuant to that certain Collateral Repossession Agreement of even date herewith by and between **VULCAN TOOL CORPORATION**, a Massachusetts corporation, fka Smith's Hammer Holdings, Inc. ("Assignor"), and **VTC, INC.**, an Ohio corporation, fka Vulcan Tool Corporation ("Assignee").

WHEREAS, Assignor, with its principal office at 730 Lorain Avenue, Dayton, Ohio 45401, is the owner of the entire right, title, and interest in various trademarks and is the record title holder of said trademarks shown on Exhibit A attached hereto (collectively, the "Trademarks"); and

WHEREAS, Assignee, with its principal office at 1212 Streng Street, Cincinnati, Ohio 45223 is desirous of acquiring the entire right, title, and interest in said Trademarks and registrations thereof, including the goodwill of the business symbolized by said Trademarks, and

WHEREAS, Assignee desires to obtain the legal title to said Trademarks;

WHEREAS, the parties wish to reflect the transfer of said Trademarks and registrations in a document suitable for recording with the U.S. Patent and Trademark Office;

NOW THEREFORE, for good and valuable consideration, the sufficiency of which is hereby expressly acknowledged, Assignor by these presents hereby assigns, transfers, conveys, and sets over unto said Assignee, its successors and assigns, the entire right, title, and interest throughout the world to and under said Trademarks, together with the goodwill of the business in connection with which said Trademarks were and are used, and the registrations thereof, and all rights incident thereto;

Said Assignor hereby releases, assigns, and transfers unto said Assignee its successors, assigns and legal representatives, all rights, title, and interest, claims and demands whatsoever said Assignor had in, to and by, under and through, said Trademarks, including all claims for any and all past infringement thereof and the right to sue therefore;

ALL OF THE SAME to be held and enjoyed by said Assignor for its own use and behalf and for its successors and assigns, as fully and entirely as the same would have been held and enjoyed by said Assignor had this Assignment not been made.

[Remainder of page intentionally left blank. Signature page follows.]

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EXECUTED at CINCINNATI, Ohio this 22<sup>ND</sup> day of December, 2004.

ATTEST:

ASSIGNOR:

VULCAN TOOL CORPORATION, a  
Massachusetts corporation, fka Smith's  
Hammer Holdings, Inc.

Amy E Brown  
Michelle J. John

By: Daniel KuchembuchName: DANIEL KUCHEMBUCHTitle: PRESIDENT

ATTEST:

ASSIGNEE:

VTC, INC., an Ohio corporation, fka Vulcan  
Tool Corporation

Amy E Brown  
Michelle J. John

By: Thomas R. RuthmanName: Thomas R. RuthmanTitle: PRESIDENT

STATE OF OHIO )

)SS

COUNTY OF HAMILTON )

The foregoing instrument was acknowledged before me this 22 day of  
December, 2004 by Daniel Kuchembuch the President of VULCAN TOOL  
CORPORATION, a Massachusetts corporation, fka Smith's Hammer Holdings, Inc., on  
behalf of said corporation.

Amy E Brown  
 Notary Public  
 My commission expires: 8/19/06

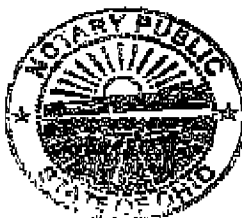
STATE OF OHIO )

)SS

COUNTY OF HAMILTON )

The foregoing instrument was acknowledged before me this 22 day of  
December, 2004 by Thomas R. Ruthman the President of VTC, INC., an Ohio  
corporation, fka Vulcan Tool Corporation, on behalf of said corporation.

Amy E Brown  
 Notary Public  
 My commission expires: 8/19/06



AMY E. BROWN  
 Notary Public, State of Ohio  
 My Commission Expires  
 August 19, 2006

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**EXHIBIT A****U.S. Federal Trademarks**

Trademark	Reg. No.	Reg. Date
RINGMASTER	1,122,172	July 17, 1979
BREHM	653,393	October 22, 1957
VULCAN SUPERKUT	661,889	May 20, 1958
VULCANAIRE	570,856	February 24, 1953
SHIMMY and Stylized	373,060	November 21, 1939

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