

REC
TR

07-26-2004



Docket No.:

1492023US1AT

Tab settings

102798828

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):
MARTIN MARIETTA MAGNESIA SPECIALTY, LLC
Correction 7-9-04

Individual(s) Association
 General Partnership Limited Partnership
 Corporation-State
 Other _____

Additional names(s) of conveying party(ies) Yes No

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

Name: MIDWEST INDUSTRIAL SUPPLY, INC.
 Internal Address: P. O. Box 8431
 Street Address: _____
 City: Canton State: OH ZIP: 44711

Individual(s) citizenship _____
 Association _____
 General Partnership _____
 Limited Partnership _____
 Corporation-State Ohio
 Other _____

If assignee is not domiciled in the United States, a domestic designation is Yes N
 (Designations must be a separate document from
 Additional name(s) & address(es) Yes N

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other Correct Assignment

Execution Date: October 16, 2003

4. Application number(s) or registration numbers(s):

A. Trademark Application No.(s) _____
 B. Trademark Registration No.(s)
1,493,758

Additional numbers Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Joseph A. Sebolt, Reg. No. 35,352
 Internal Address: Sand & Sebolt
Aegis Tower, Suite 1100

Street Address: 4940 Munson Street, N.W.
07/23/2004 REGISTRATION 00000059 1493758
01 FC:0521 40.00 DP
 City: Canton State: OH ZIP: 44718

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

8. Deposit account number:
19-0083

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.

Joseph A. Sebolt, Reg. No. 35,352
 Name of Person Signing *Joseph A. Sebolt*
 Signature July 7, 2004
 Date

Total number of pages including cover sheet, attachments, and **3**

Mail documents to be recorded with required cover sheet information to:
 Mail Stop Recordation Services
 Director of the United States Patent and Trademark Office
 P.O. Box 1450, Alexandria, VA 22313-1450

TRADEMARK
 REEL: 003019 FRAME: 0361

11-21-2003



102606316

Docket No.:

1492023US1AT

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To the Director of the United States Patent a.

ached original documents or copy thereof.

1. Name of conveying party(ies):

MARTIN MARIETTA MAGNESIA SPECIALTIES, LLC

10-30-03

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

Additional names(s) of conveying party(ies) Yes No

3. Nature of conveyance:

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

Execution Date: **October 16, 2003**

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

Name: **MIDWEST INDUSTRIAL SUPPLY, INC.**

Internal Address: **P. O. Box 8431**

Street Address:

City: **Canton** State: **OH** ZIP: **44711**

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State **Ohio**
- Other

If assignee is not domiciled in the United States, a domestic designation is Yes N
(Designations must be a separate document from Additional name(s) & address(es) Yes N

4. Application number(s) or registration numbers(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

1,493,458

Additional numbers Yes No

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Internal Address: **Sand & Sebolt**

Aegis Tower, Suite 1100

Street Address: **4940 Munson Street, N.W.**

City: **Canton** State: **OH** ZIP: **44718**

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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.

Joseph A. Sebolt, Reg. No. 35,352

Name of Person Signing

Signature

October 28, 2003

Date

Total number of pages including cover sheet, attachments, and

3

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TRADEMARK
REEL: 003019 FRAME: 0362

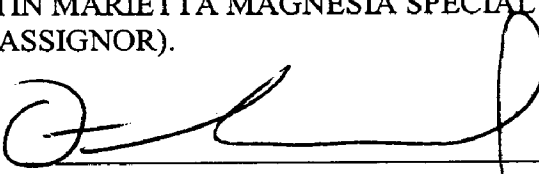
ASSIGNMENT NUNC PRO TUNC

WHEREAS, MARTIN MARIETTA MAGNESIA SPECIALTIES, LLC (ASSIGNOR) owned and used in its business the marks and related registrations listed on Exhibit A attached hereto (Marks); and

WHEREAS, by Asset Purchase Agreement dated June 30, 2003, Assignor sold all of its assets used in connection with the Marks to MIDWEST INDUSTRIAL SUPPLY, INC. (ASSIGNEE) and, pursuant to the Asset Purchase Agreement, agreed to formally assign all of its right, title and interest in the Marks to ASSIGNEE;

THEREFORE, BE IT KNOWN that for and in consideration of the sum of One Dollar (\$1.00) to it in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, Assignor hereby assigns to Assignee, its successors or assigns, the entire right, title and interest in and to the Marks and any and all registrations therefor, including any renewals that may be granted thereon, together with the goodwill of the business connected therewith and any right to recover damages for past infringement thereof.

MARTIN MARIETTA MAGNESIA SPECIALTIES,
LLC (ASSIGNOR).

By: 

(TYPED NAME) Dan Shephard

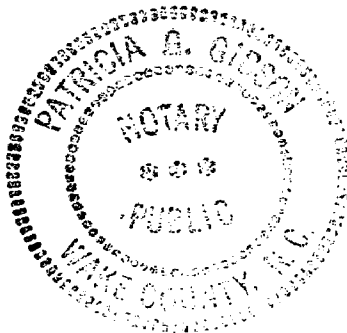
(TITLE) President

Date: October 16, 2003

STATE OF North Carolina §
COUNTY OF Wake §

BEFORE ME, the undersigned authority, on this day personally appeared Dan Shephard, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me under oath that he executed the same as the act and deed of Martin Marietta Magnesia Specialties, LLC, as officer thereof, and for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND and seal of office, this 16th day of October, 2003.



Patricia G. Gibson
Notary Public

My commission expires July 21, 2008

EXHIBIT A

Docket Number	Mark	Filing Date	Serial Number	Registration Number	Country
1492023IN1AT	DUST-BUSTER	1/22/1996	695,188		India
1492023JP1AT	DUST-BUSTER	12/1/1995	124,019/95	4370045	Japan
1492023KR1AT	DUST-BUSTER	4/1/1993	93/10,700	293,170	Korea
1492023MX1AT	DUST-BUSTER	4/12/1993	165,139	468,979	Mexico
1492023TW1AT	DUST-BUSTER	8/20/1993	82/041087	639,264	Taiwan
1492023US1AT	DUST-BUSTER	6/12/1986	73/603,792	1,493,758	U.S.

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MARTIN MARIETTA MAGNESIA SPECIALTIES,
LLC (ASSIGNOR).

By: _____

(TYPED NAME) Dan Shephard

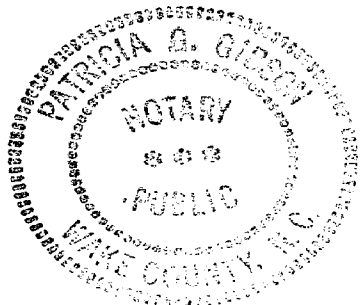
(TITLE) President

Date: October 16, 2003

STATE OF North Carolina §
COUNTY OF Wake §

BEFORE ME, the undersigned authority, on this day personally appeared Dan Shephard, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me under oath that he executed the same as the act and deed of Martin Marietta Magnesia Specialties, LLC, as officer thereof, and for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND and seal of office, this 16th day of October, 2003.



Patricia A. Gibson
Notary Public

My commission expires July 21, 2008

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1492023KR1AT	DUST-BUSTER	4/1/93	93/10,700	293,170	Korea
1492023MX1AT	DUST-BUSTER	4/12/93	165,139	468,979	Mexico
1492023TW1AT	DUST-BUSTER	8/20/93	82/041087	639,264	Taiwan
1492023US1AT	DUST-BUSTER	8/12/86	73/603,792	1,493,458	U.S.