

11.19.04

Form PTO-1594
1-31-92

RECO

12-17-2004

U.S. Department of Commerce
Patent and Trademark Office



To the Honorable Commissioner of Pat.

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ied original documents or copy thereof

1. Name of conveying party(ies):
Timothy Gohrke
 Individual(s) Association
 General Partnership Limited Partnership
 Corporation-State
 Other _____

2. Name and address of receiving party(ies):
Name: Magellan Materials and Supplies, Inc.
Internal Address: _____
Street Address: 10125 Main Place
City: Bothell State: WA Zip: _____

Additional name(s) of conveying party(ies) attached? yes no

3. Nature of conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other _____

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

Execution Date: October 18, 2004

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s) 2,289,912

Additional numbers attached? yes no

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

Name: Joshua A. Lorentz
Internal Address: DINSMORE & SHOHL LLP
Street Address: 1900 Chemed Center
255 East Fifth Street
City: State: Zip: Cincinnati, Ohio 45202

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00
 Enclosed by check.
 Please charge the amount of \$40.00 to our Visa credit card account. Form PTO-2038 is attached.
 Authorized to be charged to deposit account.
 Please charge any deficiencies or credit any overpayment to deposit account.

8. Deposit account number: 04-1133

(Attached 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.

Joshua A. Lorentz
Name of Person Signing

Joshua A. Lorentz
Signature

11/10/04
Date

Total number of pages including cover sheet: 3

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CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Box Assignment, Commissioner for Trademarks; 2900 Crystal Drive; Arlington, VA 22202-3513 on November 10, 2004

Diana M. Celia
DIANA M. CELIA



11-19-2004

U.S. Patent & TMO/TM Mail Rcpt Dt. #72

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TRADEMARK
REEL: 003093 FRAME: 0362

NUNC PRO TUNC ASSIGNMENT OF TRADEMARK

WHEREAS, Timothy Gohrke (hereinafter "Assignor") is the owner of federal and common law trademark rights for the mark MAGELLAN, including specifically, U.S. Trademark Registration No. 2,289,912 (the "Trademark"); and

WHEREAS, Magellan Material and Supplies, Inc. ("Assignee"), desires to acquire all right, title and interest in and to the Trademark, together with the goodwill of the business symbolized by the Trademark.

NOW, THEREFORE, for good and valuable consideration, the full receipt and sufficiency of which is hereby acknowledged, and intending to be legally bound hereby, Assignor hereby sells, assigns, transfers and conveys unto Assignee all of his right, title, and interest in and to the aforesaid Trademark, together with the goodwill symbolized by the Trademark, and the federal registration thereof, nunc pro tunc, effective as of March 27, 2001.

FURTHER, Assignor hereby covenants, agrees and undertakes to execute all applications, assignments, lawful oaths and any other papers which may be necessary for securing to, or for transferring from, the Assignee the Trademark hereby assigned, all without further compensation to Assignor.

By: *Timothy Gohrke*
Timothy Gohrke

STATE OF *Washington*)
)
COUNTY OF *King*)

SS

SWORN to and subscribed before me this 18th day of October, 2004.

Sarah Polonis
Sarah Polonis - Notary ex 12/9/07

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