

03-17-2005

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



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

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To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

3-14-05

1. Name of conveying party(ies): American Builders & Contractors Supply Co., Inc. [] Individual(s) [] Association [] General Partnership [] Limited Partnership [X] Corporation - [] Other Delaware Additional name(s) of conveying party(ies) attached? Yes [X] No

2. Name and address of receiving party(ies) Name: Mule-Hide Products Co., Inc. Address: Street Address: 1195 Prince Hall Drive City: Beloit State: WI Zip: 53511

OFFICE OF PUBLIC RECORDS 2005 MAR 14 AM 9:30 FINANCE SECTION 11

3. Nature of conveyance: [X] Assignment [] Merger [] Security Agreement [] Change of Name [] Other: Effective Date: 01/01/2004 Execution Date(s): 06/30/2004

[] Individual(s) citizenship [] Association [] General Partnership [] Limited Partnership [X] Corporation: Texas [] 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 [X] No

4. Application number(s) or registration number(s): A. Trademark Application No.(s): 76/498,602 78/207,910

B. Trademark Registration No.(s): 233,815 1,737,851 443,599 2,819,275 1,700,566

Additional number(s) attached [] Yes [X] No

5. Name and address of party to whom correspondence concerning document should be mailed: Name: Cathryn A. Berryman Address: Jenkens & Gilchrist, P.C. Street Address: 1445 Ross Avenue, Suite 3200 City: Dallas State: TX Zip: 75202

6. Total number of applications and registrations involved: 7 7. Total fee (37 CFR 3.41).....\$ 190.00 [] Enclosed [X] Authorized to be charged to deposit account 8. Deposit account number: 10-0447

DO NOT USE THIS SPACE

9. Signature.

Cathryn A. Berryman Name of Person Signing

Cathryn A. Berryman Signature

3/14/2005 Date

Total number of pages including cover sheet, attachments, and document: 4

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

03/16/2005 6TON11 00000136 100447 76498602

01 FC:0521 40.00 DA 02 FC:0522 150.00 DA

DALLAS2 1094585v1 46715-00964

TRADEMARK REEL: 003135 FRAME: 0161

ASSIGNMENT OF TRADEMARKS

This Assignment of Trademarks, effective as of January 1, 2004, is entered into by and between AMERICAN BUILDERS & CONTRACTORS SUPPLY CO., INC., a Delaware corporation ("Assignor") and MULE-HIDE PRODUCTS CO., INC., a Texas corporation ("Assignee").

PRELIMINARY STATEMENT

WHEREAS, Assignee is a wholly owned subsidiary of Assignor;

WHEREAS, Assignor currently owns multiple trademarks with the words "Mule-Hide", which trademarks are licensed to Assignee;

WHEREAS, Assignor now wishes to transfer such trademarks to Assignee;

NOW, THEREFORE, in consideration of one dollar (\$1.00) in hand paid by Assignee to Assignor and other valuable consideration, and intending to be legally bound, the parties hereto agree as follows:


1. **Assignment.** Assignor hereby assigns to Assignee all its right, title and interest in the trademarks described on the attached Schedule A ("Trademarks"), together with all goodwill therein or associated therewith. The present assignment includes all rights and interests associated with the Trademarks, including, without limitation, Assignor's common law rights and federal registration rights in the trademarks identified in Schedule A, the right to sue for past trademark infringement and the right to claim prior use of the Trademarks by Assignor as a basis for federal and/or state trademark registration or in connection with any infringement proceeding or claim of a third party with respect to any or all of the Trademarks. In addition, any continued use by Assignor of the Trademarks shall inure to the benefit of Assignee.
2. **Licenses.** The Trademark License Agreement dated April 1, 2002, between Assignor and Assignee is hereby terminated in light of the foregoing assignment. Assignee hereby assumes all rights and obligations of Assignee under that certain Trademark License Agreement dated April 1, 2002, between Assignor and Mule-Hide Manufacturing Co., Inc.
3. **Successors and Assigns.** This Assignment of Trademarks shall be binding upon Assignor and shall be to the benefit of Assignee and its successors and assigns.

IN WITNESS WHEREOF, the undersigned has executed this Assignment of Trademarks

June 30, 2004.

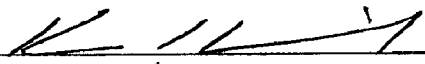
ASSIGNOR:

AMERICAN BUILDERS & CONTRACTORS SUPPLY CO., INC.

By:  (signature)
DAVID LUCK (printed name)
PRESIDENT (title)

ASSIGNEE:

MULE-HIDE PRODUCTS CO., INC.

By:  (signature)
KIM HENDRICKS (printed name)
PRESIDENT (title)

Schedule A

U.S. Trademark Registrations

<u>Mark</u>	<u>Registration No.</u>	<u>Registration Date</u>
Mule-Hide	0,233,815	10/11/1927
Mule-Hide	0,443,599	12/06/1949
Mule-Hide (logo design)	1,700,566	7/14/1992
Mule-Hide (logo design)	1,737,851	12/8/1992
Mule-Hide	2819275	3/2/2004

U.S. Trademark Applications

<u>Mark</u>	<u>Serial No.</u>	<u>Filing Date</u>
Mule-Hide (logo design)	78207910	1/28/2003
Mule-Hide (logo design)	76498602	3/19/2003