

Form PTO-1594  
1-31-92

U.S. Department of Commerce  
Patent and Trademark Office

### RECORDATION FORM COVER SHEET TRADEMARKS ONLY

Our Ref.: FPP-2861-14

**Mail Stop Assignment Recordation Services** VIA Fax only: 571-273-0140  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

To the Commissioner for Trademarks: Please record the attached original documents or copy thereof.

<p>1. Name of conveying party(ies): Omya Industries Inc.</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: Vermont  <input type="checkbox"/> Other: _____</p> <p>3. Nature of conveyance:</p> <p><input checked="" type="checkbox"/> Assignment                              <input type="checkbox"/> Merger  <input type="checkbox"/> Security Assignment                      <input type="checkbox"/> Change of Name  <input type="checkbox"/> Other: _____</p> <p>Execution Date: <u>March 8, 2007</u></p>	<p>2. Name and address of receiving party(ies): Name: <u>Omya AG</u>  Internal Address: _____  Street Address: <u>Baslerstr. 42, 4665</u>  _____  City: <u>Oftringen</u>  State/Country: <u>Switzerland</u>  Zip: _____</p> <p><input type="checkbox"/> Individual(s) citizenship _____  <input type="checkbox"/> Association _____  <input type="checkbox"/> General Partnership _____  <input type="checkbox"/> Limited Partnership _____  <input checked="" type="checkbox"/> Corporation-State <u>Switzerland</u>  <input type="checkbox"/> Other _____</p> <p>If assignee is not domiciled in the United States, a domestic representative designation is attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Designations must be a separate document from Assignment)  Additional name/s &amp; address/es attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
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4. Application number(s) or registration number(s):  
If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

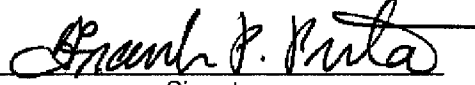
<p>A. Trademark Application No.(s) (1) _____ (2) _____ (3) _____</p>	<p>B. Trademark Registration No.(s) (1) <u>2,063,749</u> (2) _____ (3) _____</p>
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Additional numbers attached?  Yes  No

<p>5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>Frank P. Presta</u>  Internal Address: _____  _____  Street Address: <u>Nixon &amp; Vanderhye P.C.</u>  <u>901 North Glebe Road</u>  <u>11th Floor</u>  City <u>Arlington</u> State: <u>VA</u> Zip: <u>22203</u></p>	<p>6. Total number of applications and registrations involved: <u>1</u></p> <p>7. Total fee (37 CFR 3.41)(8521; \$40) (8522; \$25)\$ <u>40.00</u>  <input type="checkbox"/> Enclosed  <input checked="" type="checkbox"/> Authorized to be charged to deposit account #14-1140</p> <p>8. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper thereafter filed in this application by this firm) to our <b>Account No. 14-1140.</b></p>
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**DO NOT USE THIS SPACE**

9. Statements 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.

Frank P. Presta                                            April 5, 2007  
Name of Person Signing                      Signature                      Date

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

FPP:cgp

CH \$40.00 141140 2063749

Apr 2 2007 6:07

02-04-07

11:06

VON -PA Reinhard Skuhra Weise &amp; Partner

+49-89-3401470

T-722 P 002/003 F-834

**ASSIGNMENT OF TRADEMARK  
AND ACCOMPANYING GOODWILL**

**THIS ASSIGNMENT** made effective as of the 8<sup>th</sup> day of March, 2007, by and between Omya Industries Inc., a Vermont corporation, whose address is 61 Main Street, Proctor, Vermont, 05765, U.S.A. (hereinafter the "Assignor"), and, Omya AG, a Swiss corporation, whose address is Baslerstr. 42, 4665 Oftringen, Switzerland (hereinafter the "Assignee").

**WHEREAS**, Assignor is the owner of the trademark COVERCARB in the United States, and the registration therefor in the United States Patent and Trademark Office, Registration No. 2,063,749 (the "Trademark"), the goodwill of the business associated therewith and symbolized thereby, and all rights appurtenant thereto, including, but not limited to, all common law rights, causes of action and the right to recover for past infringement, dilution or other misappropriation thereof; and

**WHEREAS**, Assignee is desirous of acquiring the Trademark, and all goodwill associated therewith and symbolized thereby and all rights appurtenant thereto;

**NOW, THEREFORE**, in consideration of the sum of Ten Dollars (\$10.00) and for other good and valuable consideration, the receipt and sufficiency of which Assignor acknowledges by its execution below:

Apr 2 2007 6:07

02-04-07

11:06

VON -PA Reinhard Skuhra Weise &amp; Partner

+49-89-3401479

T-722

P 003/003

F-034

1. Assignor hereby assigns to Assignee all of its rights, title and interest in and to the Trademark, together with the goodwill of the business connected with the use of and symbolized by said Trademark, and together with any and all interests, claims and rights for damages and profits by reason of any past infringement or unauthorized use of the Trademark, false designations of origin, unfair competition, deceptive trade practices and/or dilution related to the Trademark, use of confusingly similar marks or names by others and all other related causes of action and the right to sue therefor.

2. Assignor agrees to perform all reasonable and proper additional acts and to execute any additional documents at the request and expense of Assignee which Assignee may require in order to transfer all of Assignor's rights, title and interest in and to the said Trademark to Assignee, its successors or assigns.

IN WITNESS WHEREOF, the Assignor has executed this document, through its duly authorized representative, on the day and date set forth below, effective as of the date first set forth above.

OMYA INDUSTRIES INC.

Assignor

By: 

Name: Robert D. Cavanaugh

Title: Treasurer

Date: 8 March 2007

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Assignment Branch  
Registration No.: 2063749  
Mark: COVERCARB

In re Trademark Registration of

OMYA AG

Atty. Ref.: FPP-2861-14

Dated: May 20, 1997

April 5, 2007

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

Sir:

**DESIGNATION OF DOMESTIC REPRESENTATIVE**

Nixon & Vanderhye P.C., whose postal address is 901 North Glebe Road, 11th Floor, Arlington, Virginia 22203-1808, and Larry S. Nixon, Robert A. Vanderhye, Arthur R. Crawford, James T. Hosmer, Robert W. Faris, Robert W. Adams, Mark E. Nusbaum, Michael J. Keenan, Bryan H. Davidson, Stanley C. Spooner, Robert A. Rowan, Leonard C. Mitchard, Duane M. Byers, Jeffry H. Nelson, Donna J. Bunton, John R. Lastova, H. Warren Burnam, Jr., Mary J. Wilson, Alan M. Kagen, Michael E. Crawford, Robert A. Molan, B. J. Sadoff, Updeep S. Gill, Jonathon T. Reavill, Michael J. Shea, Sheryl L. Scharmach, Michelle N. Lester, Frank P. Presta, Joseph S. Presta, Joseph A. Rhoa, Raymond Y. Mah, Chris Comuntzis, Gary R. Tanigawa, Paul T. Bowen, Willem F. Gadiano and Gordon P. Klancnik are designated as Omya Ag's representatives on

**COVERCARB**  
Serial No. 2063749

whom notices or processes in proceedings affecting the above-identified mark may be served.

Respectfully submitted,

**OMYA AG**

By: 

Frank P. Presta  
Attorney for Assignee

FPP:cgp  
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