

10-01-2007



SHEET  
LY

103449418

To the Director of the U. S. Pat.

Attached documents or the new address(es) below.

**1. Name of conveying party(ies):**

Western Forge Corporation

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

Citizenship (see guidelines) US

Additional names of conveying parties attached? ☐ Yes ☒ No

**3. Nature of conveyance )/Execution Date(s) :**

Execution Date(s) September 24, 2007

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

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

Additional names, addresses, or citizenship attached? ☐ Yes ☒ No

Name: WF Acquisition, Inc.

Internal

Address: \_\_\_\_\_

Street Address: 4607 Forge Road

City: Colorado Springs

State: CO

Country: US Zip: 80907

☐ Association Citizenship \_\_\_\_\_

☐ General Partnership Citizenship \_\_\_\_\_

☐ Limited Partnership Citizenship \_\_\_\_\_

☒ Corporation Citizenship US

☐ 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)

2,636,251 3,270,635

Additional sheet(s) attached? ☐ Yes ☒ No

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

BITMATE SAW DRIVER

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

Name: Paul J. Maginot

Internal Address: Chase Tower

Street Address: 111 Monument Circle, Suite 3250

City: Indianapolis

State: IN Zip: 46204-5109

Phone Number: (317) 638-2922

Fax Number: (317) 638-2139

Email Address: \_\_\_\_\_

**6. Total number of applications and registrations involved:**

1

**7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ 65.00**

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

40.00 OP  
25.00 OP

**8. Payment Information:**

a. Credit Card Last 4 Numbers \_\_\_\_\_  
Expiration Date \_\_\_\_\_

b. Deposit Account Number 13-0014

Authorized User Name Maginot, Moore & Back

00000009 2636251

**9. Signature:**

Paul J. Maginot  
Signature

Paul J. Maginot

Name of Person Signing

September 25, 2007  
Date

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

09

01 FC:85700  
02 FC:85700

## **TRADEMARK ASSIGNMENT**

**THIS TRADEMARK ASSIGNMENT ("ASSIGNMENT")** is made and entered into as of this 24 day of September, 2007, by and between Western Forge Corporation, a Delaware corporation ("Assignor"), and WF Acquisition, Inc., a Delaware corporation ("Assignee").

**WHEREAS**, Assignor owns, has adopted and currently uses the marks identified on Schedule A attached hereto (the "Marks"), and owns other transferable rights associated with its ongoing and existing business including, but not limited to, the goodwill of the business associated with said Marks, and is the owner of all worldwide right, title and interest in and to the registrations and applications for registration for the Marks set forth in the attached Schedule of Trademarks (collectively the "Trademark Assets"); and


**WHEREAS**, pursuant to a certain Contribution Agreement made and entered into as of September 24, 2007, by and among Emerson Electric Co., Assignor, and Assignee, Assignor has agreed to contribute the Trademark Assets to Assignee.

**NOW, THEREFORE**, in consideration of the mutual covenants and obligations contained herein and in the Contribution Agreement, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

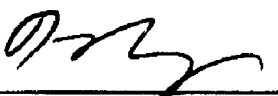
Assignor does hereby sell, assign, and transfer to Assignee, its successors and assigns, all of its right, title, and interest, in and to the Trademark Assets, together with any and all of the goodwill of the business symbolized by and associated with said Marks, and all income, royalties, fees, damages, and payments now or hereafter due or payable in respect thereto, and in and to any and all causes of action (either in law or in equity), and the right to enforce any rights and file any causes of action, including the right to recover damages, for any past, present, or future infringement, misappropriation and/or dilution of the Marks.

Assignor agrees to execute or procure any further necessary assurance of title to the Trademark Assets; and at any time, upon the request and at the expense of Assignee, will execute and deliver any and all papers that may be necessary or desirable to perfect the title to the Trademark Assets in Assignee, its successors, assigns or other legal representatives; and to make a record with any and all government agencies, authorities, courts, tribunals, or third parties, of the fact that Assignee owns all right, title and interest in and to the Trademark Assets, and any and all goodwill associated therewith, and that Assignor no longer has any right, title or interest, of any kind or nature, in or to the Trademark Assets.

**WESTERN FORGE CORPORATION**

By:   
Title: JAMES D. SWITZER  
ATTORNEY IN FACT  
Dated: September 24, 2007

**WF ACQUISITION, INC.**

By:   
Title: JAMES D. SWITZER  
ATTORNEY IN FACT  
Dated: September 24, 2007

(Signature Page to Trademark Assignment from Western Forge)

**Schedule of Trademarks**

<b>MARK</b>	<b>APL NUMBER</b>	<b>APL DATE</b>	<b>REG NO.</b>	<b>REG DATE</b>	<b>RENEWAL DATE</b>
BITMATE	75/928,922	02/24/2000	2,636,251	10/15/2002	10/15/2012  Sec. 8 & 15 Due: 10/15/2008
SAW DRIVER	78/907,897	06/14/2006	3,270,635	7/24/07	

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 2049-0001

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Assignment Recordation Services, Director of the U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on September 25, 2007

(Date of Deposit)

Paul J. Maginot

Name of Person mailing Document of Fee

Paul J. Maginot

Signature

September 25, 2007

Date of Signature

## LETTER

Mail Stop Assignment Recordation Services  
Director of the U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

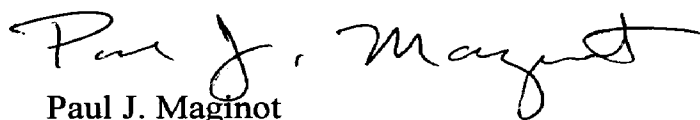
The following documents are forwarded herewith for appropriate action by the  
U.S. Patent and Trademark Office:

1. Recordation Form Cover Sheet;
2. Executed Assignment document (3 pages);
3. Check in the amount of \$65.00; and
4. One return post card.

It is respectfully requested that the post card be stamped with the date it is received and returned as soon as possible. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 13-0014, but not to include any payment of issue fees.

Respectfully submitted,

MAGINOT, MOORE & BECK LLP

A handwritten signature in black ink, appearing to read "Paul J. Maginot". The signature is fluid and cursive, with the first name "Paul" and last name "Maginot" clearly distinguishable.

Paul J. Maginot  
Registration No. 34,984

September 25, 2007  
Maginot, Moore & Beck LLP  
Chase Tower  
111 Monument Circle, Suite 3250  
Indianapolis, IN 46204-5109  
(317) 638-2922 telephone  
(317) 638-2139 facsimile