

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

|                                  |  |                       |                                     |
|----------------------------------|--|-----------------------|-------------------------------------|
| <b>SUBMISSION TYPE:</b>          | NEW ASSIGNMENT   |                       |                                     |
| <b>NATURE OF CONVEYANCE:</b>     | ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL   |                       |                                     |
| <b>CONVEYING PARTY DATA</b>      |  |                       |                                     |
| <b>Name</b>                      | <b>Formerly</b>  | <b>Execution Date</b> | <b>Entity Type</b>                  |
| Peabody Coal Company, LLC        | FORMERLY Peabody Coal Company  | 10/24/2007            | LIMITED LIABILITY COMPANY: DELAWARE |
| <b>RECEIVING PARTY DATA</b>      |  |                       |                                     |
| <b>Name:</b>                     | Peabody Energy Corporation   |                       |                                     |
| <b>Street Address:</b>           | 701 Market Street  |                       |                                     |
| <b>Internal Address:</b>         | Ste. 700   |                       |                                     |
| <b>City:</b>                     | St. Louis  |                       |                                     |
| <b>State/Country:</b>            | MISSOURI   |                       |                                     |
| <b>Postal Code:</b>              | 63101  |                       |                                     |
| <b>Entity Type:</b>              | CORPORATION:   |                       |                                     |
| <b>PROPERTY NUMBERS Total: 1</b> |  |                       |                                     |
| <b>Property Type</b>             | <b>Number</b>  | <b>Word Mark</b>      |                                     |
| Registration Number:             | 1303393  | SENECA                |                                     |
| <b>CORRESPONDENCE DATA</b>       |  |                       |                                     |
| <b>Fax Number:</b>               | (314)342-3419  |                       |                                     |
|                                  | <i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i> |                       |                                     |
| <b>Phone:</b>                    | 314-342-7796   |                       |                                     |
| <b>Email:</b>                    | tdietrich@peabodyenergy.com  |                       |                                     |
| <b>Correspondent Name:</b>       | Thomas W. Dietrich   |                       |                                     |
| <b>Address Line 1:</b>           | 701 Market Street  |                       |                                     |
| <b>Address Line 2:</b>           | Ste. 700   |                       |                                     |
| <b>Address Line 4:</b>           | St. Louis, MISSOURI 63101  |                       |                                     |
| <b>NAME OF SUBMITTER:</b>        | Thomas W. Dietrich   |                       |                                     |
| <b>Signature:</b>                | /thomas W Dietrich/  |                       |                                     |
| <b>Date:</b>                     | 11/02/2007   |                       |                                     |

OP \$40.00 1303393

**Total Attachments: 5**

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TRADEMARK ASSIGNMENT

1. **WHEREAS**, Peabody Coal Company, LLC (f/k/a Peabody Coal Company), of 701 Market Street, Suite 700, Saint Louis, Missouri 63101, a corporation duly organized and existing under and by virtue of the laws of the State of Delaware (hereinafter referred to as Assignor), has adopted and used in its business certain trademarks; and

2. **WHEREAS**, Assignor owns certain applications and registrations in the United States Patent and Trademark Office and other countries relating to said trademarks; and

3. **WHEREAS**, Peabody Energy Corporation, of 701 Market Street, Suite 700, Saint Louis, Missouri 63101, a corporation duly organized and existing under and by virtue of the laws of the State of Delaware (hereinafter referred to as Assignee), is desirous of acquiring the entire right, title and interest of Assignor in said trademarks and said applications and registrations and the good will of the business in connection with which said trademarks are used.

4. **NOW THEREFORE**, in consideration of the sum of ten dollars (\$10.00) and other good and valuable consideration by Assignee to Assignor in hand paid, receipt of all of which is hereby acknowledged, Assignor has agreed to and does hereby sell,

assign and transfer unto Assignee, its successors and assigns, all of Assignor's right, title and interest throughout the world in and to said trademarks, said applications and said registrations together with the good will of the business in connection with which said trademarks are used, and together with full right to sue for and recover all profits and damages recoverable from past infringements of said trademarks; including specifically, without limiting the generality of the foregoing, the applications and registrations listed below.

5. **TO BE HELD AND ENJOYED BY** Assignee, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by Assignor had this sale and assignment not been made.

6. **AND** Assignor hereby agrees to execute without further consideration any further lawful documents and any further assurances, assignments and applications for trademark of any country, that may be deemed necessary by said Assignee, its successors or assigns, fully to secure its interest as aforesaid in and to said trademarks, applications and registrations.

7. THE TRADEMARK REGISTRATIONS ARE AS FOLLOWS:

| <u>COUNTRY</u> | <u>REG. DATE</u> | <u>REG. NO.</u> | <u>TRADEMARK</u> |
|----------------|------------------|-----------------|------------------|
| Benelux        | 08/02/1985       | 413077          | PEABODY          |
| Canada         | 02/20/1987       | 323898          | PEABODY          |
| France         | 08/06/1985       | 1319570         | PEABODY          |
| Italy          | 08/12/1985       | 729801          | PEABODY          |
| Japan          | 09/21/1987       | 1987102         | PEABODY          |
| Portugal       | 12/04/1991       | 234843          | PEABODY          |
| South Korea    | 12/02/1986       | 134303          | PEABODY          |
| Spain          | 10/20/1986       | 1114982         | PEABODY          |
| Sweden         | 06/19/1986       | 201738          | PEABODY          |
| United States  | 11/06/1984       | 1303393         | SENECA           |

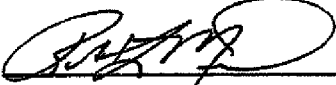
THE TRADEMARK APPLICATION IS AS FOLLOWS:

| <u>COUNTRY</u> | <u>FILING DATE</u> | <u>SERIAL NO.</u> | <u>TRADEMARK</u> |
|----------------|--------------------|-------------------|------------------|
| Brazil         | 12/14/2006         | 828895171         | PEABODY          |

8. IN WITNESS WHEREOF, Assignor has caused this Trademark Assignment to be executed by its officer thereunto duly authorized on the date indicated below at Saint Louis, Missouri.

PEABODY COAL COMPANY, LLC

Date: October 24, 2007

By: 

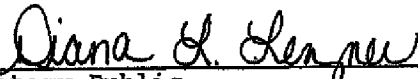
Name: ROBERT MEAD

Title: VP & Asst. Treasurer

ACKNOWLEDGMENT

STATE OF MISSOURI )  
 )  
CITY OF ST. LOUIS )

On this 24 day of October, 2007, before me personally appeared Robert Mead, to me known, who, being by me duly sworn, did depose and say that he is VP & Asst. Treasurer of PEABODY COAL COMPANY, LLC, the limited liability company described in and which executed the above instrument.

  
Notary Public

My Commission Expires: 9-17-2010

\_\_\_\_\_  
(Notary Seal)

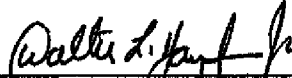
DIANA L. LENZNER  
Notary Public - Notary Seal  
STATE OF MISSOURI  
County of Jefferson  
My commission expires: 9/17/2010  
Commission #06939697

Received by:

PEABODY ENERGY CORPORATION

Date: October 24, 2007

By:



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Name:

WALTER L. HAWKINS, JR.

Title:

TREASURER & VP

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[Trademark Assignment]