# TRADEMARK ASSIGNMENT

# Electronic Version v1.1 Stylesheet Version v1.1

**SUBMISSION TYPE: NEW ASSIGNMENT** 

NATURE OF CONVEYANCE: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

#### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Barton Mines Company, LLC		107/24/2009	LIMITED LIABILITY COMPANY: NEW YORK

## **RECEIVING PARTY DATA**

Name:	Barton Mines Corporation	
Street Address:	Six Warren Street	
City:	Glens Falls	
State/Country:	NEW YORK	
Postal Code:	12801	
Entity Type:	CORPORATION: PENNSYLVANIA	

## PROPERTY NUMBERS Total: 5

Property Type	Number	Word Mark	
Serial Number:	77667738	BART	
Registration Number:	2340180	CRYSTAL GARNET	
Registration Number:	2894383	GARNET GEM	
Registration Number:	3486296	НРА	
Registration Number:	3486398	HPX	

#### **CORRESPONDENCE DATA**

Fax Number: (202)842-8465

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

202-842-8800 Phone:

Email: dctrademarks@dbr.com

Correspondent Name: Amy E. Carroll 1500 K Street, N.W. Address Line 1:

Address Line 2: **Suite 1100** 

Address Line 4: Washington, DISTRICT OF COLUMBIA 20005-1209

**TRADEMARK** 

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REEL: 004155 FRAME: 0341

ATTORNEY DOCKET NUMBER:	006510/121745		
NAME OF SUBMITTER:	Amy E. Carroll		
Signature:	/amyecarroll/		
Date:	02/24/2010		
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### TRADEMARK ASSIGNMENT

This Trademark Assignment (the "Assignment"), effective as of the day of day of 2009, is by and between Barton Mines Company, LLC, a New York limited liability company, with a place of business at Six Warren Street, Glens Falls, NY, 12801 ("Assignor") and Barton Mines Corporation, a Pennsylvania corporation, with a place of business at Six Warren Street, Glens Falls, NY, 12801 ("Assignee").

WHEREAS, Assignor owns all right, title and interest in the trademarks listed on Schedule A hereto (hereinafter, the "Marks") which are registered in the U.S. Patent and Trademark Office or other trademark offices as detailed in Schedule A; and

WHEREAS, Assignor wishes to transfer to Assignee all right, title and interest in and to the Marks, including the goodwill associated therewith and any registrations or pending applications therefor.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which the parties hereby acknowledge:

- 1. Assignor hereby assigns to Assignee all of its right, title and interest in and to the Marks, including any registrations and/or applications therefor and the goodwill of the business symbolized thereby, which business associated with all of the marks is ongoing and existing as of the date hereof.
- 2. Assignor further assigns to Assignee all rights to sue, bring actions for and recover and hold damages, profits and other compensation for any and all past and future infringements and unauthorized uses of the Marks.
- 3. This Assignment shall be binding upon Assignor, Assignor's successors and assigns, and upon all others acting by, through, with or under Assignor's direction or control, and all those in privity therewith.

IN WITNESS WHEREOF, Assignor and Assignee have executed this Assignment and caused the same to be duly delivered on its behalf on the day and year first set forth above.

Assignor: Barton Mines Company, LLC

Signed:

Name: R. Randolph Rapple

Title: President

Assignee: Barton Mines Corporation

Signed:

Name: Richard G. Jenks, Jr.

Title: Chief Financial Officer

# Schedule A

Country	Mark	Reg. [App.] No.	Reg. [App.] Date
United States	CRYSTAL GARNET & Design	2,340,180	April 11, 2000
United States	GARNET GEM	2,894,383	October 19, 2004
United States	HPA	3,486,296	August 12, 2008
United States	HPX	3,486,398	August 12, 2008
United States	BART	[77/667,738]	[February 10, 2009]
Korea	HPA	706783	April 17, 2007
Korea	HPX	710120	May 18, 2007

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**RECORDED: 02/24/2010** 

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