

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	Request for Release of Security Interest		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Congress Financial Corporation		03/31/2010	CORPORATION: TEXAS
RECEIVING PARTY DATA			
Name:	Genie Industries, Inc.		
Street Address:	18340 NE 76th Street		
City:	Redmond		
State/Country:	WASHINGTON		
Postal Code:	98052		
Entity Type:	CORPORATION: WASHINGTON		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Registration Number:	1508019	LOAD KING	
CORRESPONDENCE DATA			
Fax Number:	(248)358-3351		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
Email:	lnikkila@brookskushman.com, akramer@brookskushman.com		
Correspondent Name:	Anessa Owen Kramer		
Address Line 1:	1000 Town Center		
Address Line 2:	22nd Floor		
Address Line 4:	Southfield, MICHIGAN 48075		
ATTORNEY DOCKET NUMBER:	TERT0183TUS		
NAME OF SUBMITTER:	Anessa Owen Kramer		
Signature:	/anessa kramer/		
Date:	05/12/2010		

CH \$40.00 1508019

Total Attachments: 3

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INTRODUCTION

On June 29, 1987, CMI Corporation filed an trademark application for the mark LOAD KING. This application was assigned serial no.: 73669265. The trademark application was granted, the mark was registered on October 11, 1988 and assigned Registration No.: 1508019.

On December 12, 1991, Registrant and Assignor CMI Corporation conveyed a security interest in the trademark to Assignee Congress Financial Corporation (referred to hereafter as "CFC"). The Assignee was represented by the law firm of Burns, Doane, Swecker and Mathis of Alexandria Virginia. The assignment of the security interest was recorded on January 22, 1992, and is maintained in the Trademark Assignment database as reel/frame 0839/0788.

Since the assignment, CMI Corporation has restructured. Present restructuring of CMI Corporation and related successor enterprises (collectively referred to hereafter as "CMI") has involved a review of assignments related to owned trademarks. As a result, CMI has identified the security interest to CFC, and wishes to obtain a release of this interest.

STATEMENT OF THE FACTS

1. On January 15, 2010, the undersigned attorney was assigned the task of identifying the nature of any existing rights associated with the security interest.
2. On January 21, 2010 the undersigned contacted the law firm of Buchanan, Ingersoll and Rooney, which is the successor to Burns, Doane, Swecker and Mathis. Attorney Jennifer Williston began a review of current firm records and archived records.
3. On January 26, 2010, Attorney Williston sent an email providing, in part, "This email confirms that Buchanan Ingersoll & Rooney has no record of Burns Doane Swecker & Mathis representing Congress Financial Corporation. Further to our discussion yesterday, the search conducted of our archived records did not

uncover any information regarding Congress Financial Corporation as a client. I am sorry that we cannot be of any further assistance."

4. A search of the Yellow Pages on the Internet indicated that Congress Financial Corp., is or was located at 5001 Lyndon B Johnson Fwy, Dallas, TX 75244, with a telephone number of 214-712-3530. The multiple attempts to reach someone at this number were not answered by a person nor an answering machine.
5. A search of the database of taxable corporations maintained by the Texas Comptroller of Public Accounts revealed that Congress Financial Corporation (Taxpayer IDS: 32016653753, 30010644018, 17425209487) were not in good standing (i.e., expired).
6. A search of the Internet provided indication that CFC had been purchased by Wachovia and Wells Fargo (e.g., the domain name "www.congressfinancial.com" leads users to a web page for "Wachovia, A Wells Fargo Company," describing asset based lending). Beginning on or about January 25, 2010 and thereafter, calls were placed to various divisions of Wells Fargo. The undersigned either left messages at the number called, or was transferred to others within the institution, and left a message. No calls were ever returned.
7. It is the understanding of the undersigned that CMI Corporation, and the successors to the trademark LOAD KING, have not received any communications from any parties representing to have a right to this security interest, for a period of time such that no relevant information regarding this security interest is available.

DESIRED RESOLUTION

1. It is considered that any party claiming to have a right in this security interest has sat on those rights for such a period of time as to have legally lost any associated rights as may have once existed. Therefore, it is desired that the doctrine of laches should be applied. That is, it is desired that the security interest that was

recorded on January 22, 1992, and maintained in the Trademark Assignment database as reel/frame 0839/0788, be released, and any rights associated with this security interest be extinguished.

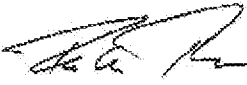
STATEMENT OF CORRECTION

1. It is hereby requested that the Assignment Information for trademark 1508019, LOAD KING, be updated such that the Security Interest to Congress Financial Corporation is released.

DECLARATION

I, the undersigned, declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the aforesaid registration.

Date: March 31, 2010

By: 
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