

Form PTO-1594 (Rev. 01-09)
OMB Collection 0651-0027 (exp. 02/28/2009)

U.S. DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

DOCUMENT ID NO
900163701

RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

To the Director of the U. S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

<p>1. Name of conveying party(ies):</p> <p>GE Energy Mangement Services, 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: <u>Delaware</u> <input type="checkbox"/> Other _____</p> <p>Citizenship (see guidelines) _____</p> <p>Additional names of conveying parties attached? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Additional names, addresses, or citizenship attached? <input checked="" type="checkbox"/> No</p> <p>Name: <u>Babcock & Wilcox Power Generation Group, Inc.</u></p> <p>Internal Address: _____</p> <p>Street Address: <u>20 S. Van Buren Avenue</u></p> <p>City: <u>Barberton</u></p> <p>State: <u>OH</u></p> <p>Country: <u>U.S.A.</u> Zip: <u>44203</u></p> <p><input type="checkbox"/> Association Citizenship _____ <input type="checkbox"/> General Partnership Citizenship _____ <input type="checkbox"/> Limited Partnership Citizenship _____ <input checked="" type="checkbox"/> Corporation Citizenship <u>Delaware</u> <input type="checkbox"/> Other _____ Citizenship _____</p> <p>If assignee is not domiciled in the United States, a domestic representative designation is attached: <input type="checkbox"/> Yes <input type="checkbox"/> No (Designations must be a separate document from assignment)</p>
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3. Nature of conveyance)/Execution Date(s) :

Execution Date(s) April 1, 2010

Assignment Merger
 Security Agreement Change of Name
 Other _____

4. Application number(s) or registration number(s) and identification or description of the Trademark.


<p>A. Trademark Application No.(s)</p> <p><u>73/291272</u> <u>74/605141</u></p>	<p>B. Trademark Registration No.(s)</p> <p><u>1189025</u> <u>2016261</u></p>
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Additional sheet(s) attached? Yes No

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

KVB
CEMSCAN

<p>5. Name & address of party to whom correspondence concerning document should be mailed:</p> <p>Name: <u>Amy M. Saus</u></p> <p>Internal Address: <u>I.P. Dept. - BVCB2K</u></p> <p>Street Address: <u>20 S. Van Buren Avenue</u></p> <p>City: <u>Barberton</u></p> <p>State: <u>OH</u> Zip: <u>44203</u></p> <p>Phone Number: <u>330-860-6710</u></p> <p>Fax Number: <u>330-860-6609</u></p> <p>Email Address: <u>amsaus@babcock.com</u></p>	<p>6. Total number of applications and registrations involved: 2</p> <p>7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$<u>65.00</u></p> <p><input checked="" type="checkbox"/> Authorized to be charged to deposit account <input type="checkbox"/> Enclosed</p> <p>8. Payment Information:</p> <p>Deposit Account Number <u>50-1813</u></p> <p>Authorized User Name <u>Amy Saus</u></p>
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9. Signature:  June 10, 2010
Signature Date

Amy M. Saus Total number of pages including cover sheet, attachments, and document: 19
Name of Person Signing

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to: Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

O:AMY SAUS COMPANY:20 S. VAN BUREN AVENUE

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

**06/03/2010
 900163701**

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
GE Energy Management Services, Inc.		04/01/2010	CORPORATION: DELAWARE

RECEIVING PARTY DATA

Name:	Babcock & Wilcox Power Generation Group, Inc.
Street Address:	20 S. Van Buren Avenue
City:	Barberton
State/Country:	OHIO
Postal Code:	44203
Entity Type:	CORPORATION: DELAWARE

PROPERTY NUMBERS Total: 2

Property Type	Number	Word Mark
Registration Number:	1189025	KVB
Registration Number:	2016281	GEMSCAN

CORRESPONDENCE DATA

Fax Number: (330)860-6609
Correspondence will be sent via US Mail when the fax attempt is unsuccessful.
Phone: 330-860-6710
Email: amsaus@babcock.com
Correspondent Name: Amy Saus
Address Line 1: 20 S. Van Buren Avenue
Address Line 2: Patent Dept - BVCB2K
Address Line 4: Barberton, OHIO 44203

ATTORNEY DOCKET NUMBER:	GEMS 2 B&WPGG
NAME OF SUBMITTER:	Amy M. Saus
Signature:	/amsaus/

CH \$65.00 1189025

O:AMY SAUS COMPANY:20 S. VAN BUREN AVENUE

Date:

06/03/2010

Total Attachments: 7

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**TRADEMARK ASSIGNMENT TO BABCOCK & WILCOX POWER GENERATION GROUP, INC.
FROM GE ENERGY MANAGEMENT SERVICES, INC.**

This Assignment is effective as of April 1, 2010.

WHEREAS, ENERTEC, INC., a corporation organized under the laws of the Commonwealth of Pennsylvania, adopted and used the trademarks referenced in attached SCHEDULE A (herein the "Marks") which are registered trademarks in the United States Patent and Trademark Office;

WHEREAS, ENERTEC, INC., by a CERTIFICATE OF MERGER dated March 26, 2003 (attached hereto as APPENDIX A), merged into GE ENERGY AND INDUSTRIAL SERVICES, INC., a corporation organized and existing under the laws of the State of Delaware, and that the name of the surviving corporation after the merger is GE ENERGY AND INDUSTRIAL SERVICES, INC., having an office at the time of 4200 Wildwood Parkway, Atlanta, GA 30339;

WHEREAS, GE ENERGY AND INDUSTRIAL SERVICES, INC., owned all of the assets, including the goodwill, and liabilities of the KVB-ENERTEC division which included the Marks (the "Business"), and, by a CONTRIBUTION, ASSIGNMENT AND ASSUMPTION AGREEMENT dated May 7, 2003 (attached hereto as APPENDIX B), contributed the Business to GE ENERGY MANAGEMENT SERVICES, INC.;

WHEREAS, GE ENERGY MANAGEMENT SERVICES, INC. (the "Assignor") a corporation organized and existing under the laws of the State of Delaware, located at 4200 Wildwood Parkway, Atlanta, GA 30339, has adopted, used and is using the Marks; and

WHEREAS, BABCOCK & WILCOX POWER GENERATION GROUP, INC., (the "Assignee"), a corporation organized and existing under the laws of the State of Delaware, located at 20 S. Van Buren Avenue, Barberton, OH 44203, is desirous of acquiring said Marks;

NOW, THEREFORE, be it known that, for good and valuable consideration, the receipt of which is hereby acknowledged in association with an asset purchase of part of the business of Assignor by Assignee, Assignor does hereby sell, assign, convey and deliver to Assignee, its successors and assigns, Assignor's entire right, title, and interests in and to said Marks, together with that part of Assignor's business to which said Marks pertain, which business is ongoing and existing, the goodwill of the business symbolized by said Marks, and all registrations and applications therefor, including any renewals and extensions of the registrations that are or may be secured, now or hereafter in effect, for Assignee's own use and enjoyment, and for the use and enjoyment of Assignee's successors, assigns or other legal representatives, as fully and entirely as the same would have been held and enjoyed by the Assignor if this assignment and sale had not been made; together with all income, royalties, or payments due or payable as of the effective date of this assignment or thereafter, including, without limitation, all claims for damages by reason of past, present or future infringement or other unauthorized use of said Marks, with the right to sue for, and collect the same for Assignee's own use and enjoyment and for the use and enjoyment of Assignee's successors, assigns or other legal representatives.

The Assignor hereby authorizes and requests the Commissioner of Patents and Trademarks of the United States, and all Offices Patent worldwide to issue, record, and memorialize this Assignment with regard to said Marks.

The Assignor agrees to execute all papers and to perform such other proper acts as said Assignee may reasonably deem necessary to secure to said Assignee or to its designee the rights herein assigned, without charge to Assignee or its successors or assigns but at its or their expense.

IN WITNESS WHEREOF, GE ENERGY MANAGEMENT SERVICES, INC., sets its hand and seal.

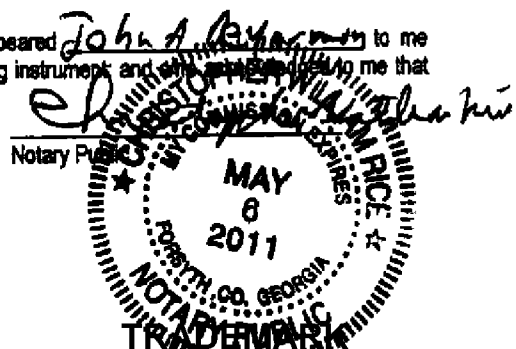
GE ENERGY MANAGEMENT SERVICES, INC. By: Signature _____

John A. DeGarmo
John A. DeGarmo, Attorney-in-Fact
Typed or Printed Name and Title of Person Signing Above

STATE OF GA)
COUNTY OF Cobb) ss.

On this, the 2 day of April, 2010, before me personally appeared John A. DeGarmo to me known and known to me to be the person described in and who executed the foregoing instrument and she executed the same for the purpose therein stated.

My Commission Expires: 5/8/11



SCHEDULE A

(TRADEMARK ASSIGNMENT TO BABCOCK & WILCOX POWER GENERATION GROUP, INC.
FROM GE ENERGY MANAGEMENT SERVICES, INC.)

Trademark	Serial Number	Registration Number
KVB	73/291272	1189025
CEMSCAN	74/605141	2016261

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APPENDIX A

**CERTIFICATE OF MERGER
ENERTEC, INC.
INTO
GE ENERGY AND INDUSTRIAL SERVICES, INC.**

The undersigned corporation

DOES HEREBY CERTIFY:

FIRST: That the name and state of incorporation of each of the constituent corporations of the merger is as follows:

<u>NAME</u>	<u>STATE OF INCORPORATION</u>
GE Energy and Industrial Services, Inc.	Delaware
Enertec, Inc.	Pennsylvania

SECOND: That an Agreement of Merger between the parties to the merger has been approved, adopted, certified, executed and acknowledged by each of the constituent corporations in accordance with the requirements of section 252 of the General Corporation Law of Delaware and Section 1922 of the Pennsylvania Corporation Code.

THIRD: That the name of the surviving corporation of the merger is GE Energy and Industrial Services, Inc., a Delaware corporation.

FOURTH: That the Certificate of Incorporation of GE Energy and Industrial Services, Inc., a Delaware corporation which is surviving the merger, shall be the Certificate of Incorporation of the surviving corporation.

FIFTH: That the executed Agreement of Merger is on file at an office of the surviving corporation, the address of which is c/o General Counsel, Optimization Solutions, 4200 Wildwood Parkway, Atlanta, GA 30338.

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SIXTH: That a copy of the Agreement of Merger will be furnished by the surviving corporation, on request and without cost, to any stockholder of any constituent corporation.

SEVENTH: The authorized capital stock of each foreign corporation that is a party to the merger is as follows:

Corporation	Class	Number of Shares	Par value per share or statement that shares are without par value
Enertec, Inc.	Class A Common	2,000,000	No Par Value
	Class B Common	50,000	No Par Value

EIGHTH: That this Certificate of Merger shall be effective upon filing.

Dated: March 26, 2003

GE Energy and Industrial Services, Inc.

By: Katherine Lublin
Katherine Lublin, Assistant Secretary

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I, Katherine Lublin, Assistant Secretary of GE Energy and Industrial Services, Inc., a corporation organized and existing under the laws of the State of Delaware (the "Corporation"), hereby certify, as such Secretary, that the Agreement of Merger to which this Certificate is attached, after having been first duly signed on behalf of said Corporation and having been signed on behalf of Enertec, Inc., a corporation of the State of Pennsylvania, was duly adopted pursuant to section 228 of the General Corporation Law of Delaware by the unanimous written consent of the stockholders holding 100 shares of the common stock of the Corporation, same being all of the shares issued and outstanding having voting power, which Agreement of Merger was thereby adopted as the act of the stockholders of said GE Energy and Industrial Services, Inc. and duly adopted agreement and act of the said corporation.

WITNESS my hand on this 24th day of March 2003.


Assistant Secretary

*** TOTAL PAGE. 03 ***

Friday May 07 2010.max

TRADEMARK
REEL: 004222 FRAME: 0323

APPENDIX B

CONTRIBUTION, ASSIGNMENT AND ASSUMPTION AGREEMENT

CONTRIBUTION, ASSIGNMENT AND ASSUMPTION AGREEMENT (the "Agreement") entered into as of May 7, 2003, by and among GE Energy and Industrial Services, Inc. (the "Contributor"), a Delaware corporation and GE Energy Management Services, Inc. (the "Recipient"), a Delaware corporation.

WHEREAS, the Contributor owns 100% of the outstanding stock of the Recipient;

WHEREAS, the Contributor owns all the of assets and liabilities of the KVB-Enertec division, the balance sheet of which is attached as Exhibit A (the "Business");

WHEREAS, the Contributor desires to contribute the Business to the Recipient; and

WHEREAS, the Recipient desires to accept Contributor's rights and obligations with respect to the Business;

NOW, THEREFORE, IT IS AGREED, as follows:

1. Assignment and Assumption

For good and valuable consideration received, the adequacy and sufficiency of which is hereby acknowledged, the Contributor hereby transfers and assigns all of its rights, title, obligations and liabilities with respect to its entire interests in the Business to the Recipient, and the Recipient accepts the assignment and assumes all such obligations and liabilities. The transfer includes all assets and liabilities of the Business whether or not included on the balance sheet in Exhibit A. Notwithstanding the above, the Contributor does not assign any contract, lease, commitment, sales order, or purchase order, which is at law or by its terms either non-assignable, or non-assignable without the consent of the other party or parties thereto, unless such consent shall be given. The Contributor shall assist the Recipient in obtaining from such other party or parties to contracts that are to be assigned in accordance with this section such consents of such parties as may be required by the relevant contract or applicable law. Furthermore, in order that the full value of all claims and demands on such contracts may be realized, the Contributor shall cooperate with the Recipient in any reasonable arrangement designed to provide for the Recipient the benefits of any such contract, lease, commitment, sales order, or purchase order which is not assigned or agreed to be assigned hereunder.

2. Contribution to Capital

The assignment shall constitute a contribution to the capital of the Recipient and Recipient shall not issue any additional shares of stock.

3. Effective Date and Time

The effective date and time of this agreement shall be May 12, 2003 at 12:01 a.m. unless otherwise agreed to by the parties in writing.

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4. Applicable Law

Except to the extent preempted by Federal law, the laws of the State of New York shall govern this Agreement in all respects, whether as to its validity, construction, or otherwise, except with respect to its conflict of law provisions.

5. Entire Agreement

This Agreement, together with any understanding or modifications thereof as agreed to in writing by the parties, shall constitute the entire agreement between the parties with respect to the subject matter hereof.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first hereinabove written.

GE ENERGY MANAGEMENT
SERVICES, INC.

By: 

Name: Sarah Acker
Title: Vice President

GE ENERGY AND INDUSTRIAL
SERVICES, INC.

By: 

Name: Tara Plimpton
Title: Vice President and Ass't Secretary

O:AMY SAUS COMPANY:20 S. VAN BUREN AVENUE



John A. DeCaruso, Attorney in

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