

## 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                    |
| Sud-Chemie IP GmbH & Co. KG |  | 10/09/2012                               | Kommanditgesellschaft: GERMANY |
| RECEIVING PARTY DATA        |  |  |                                |
| Name:                       | Clariant International AG                    |  |                                |
| Street Address:             | Rothausstrasse 61                            |  |                                |
| City:                       | 4132 Muttenz                                 |  |                                |
| State/Country:              | SWITZERLAND                                  |  |                                |
| Entity Type:                | Aktiengesellschaft: SWITZERLAND              |  |                                |
| PROPERTY NUMBERS Total: 13  |  |  |                                |
| Property Type               | Number                                       | Word Mark                                |                                |
| Registration Number:        | 2629705                                      | ENVICAT                                  |                                |
| Registration Number:        | 3779561                                      | HYPROGEN                                 |                                |
| Registration Number:        | 3581721                                      | HYPROGEN THE POWER BEHIND FUEL CELLS     |                                |
| Registration Number:        | 3168070                                      | HYPROGEN UNLOCKING THE POWER OF HYDROGEN |                                |
| Registration Number:        | 2277167                                      | HYSOPAR                                  |                                |
| Registration Number:        | 3403048                                      | REFORMAX                                 |                                |
| Registration Number:        | 3458007                                      | SC DEFINING THE FUTURE                   |                                |
| Registration Number:        | 4014292                                      | TAKING CARE OF CLEAN POWER AND AIR       |                                |
| Serial Number:              | 77630439                                     | SUNLIQUID                                |                                |
| Serial Number:              | 77630423                                     | SL-FUEL                                  |                                |
| Serial Number:              | 85117293                                     | LIQUEBEET                                |                                |
| Serial Number:              | 85288177                                     | DEFINING THE FUTURE                      |                                |
| Registration Number:        | 3866814                                      | VAM <sup>2</sup> AX                      |                                |
| CORRESPONDENCE DATA         |  |  |                                |

Fax Number: 7032436410

*Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.*

Phone: 703-465-5355

Email: smithj@mwzb.com, docketing@mwzb.com

Correspondent Name: Jeffrey Smith, Esq of Millen & White, PC

Address Line 1: 2200 Clarendon Boulevard

Address Line 2: Suite 1400

Address Line 4: Arlington, VIRGINIA 22201

ATTORNEY DOCKET NUMBER:

STOLMAR-0100-X

**DOMESTIC REPRESENTATIVE**

Name: Jeffrey Smith, Esq of Millen & White, PC

Address Line 1: 2200 Clarendon Boulevard

Address Line 2: Suite 1400

Address Line 4: Arlington, VIRGINIA 22201

NAME OF SUBMITTER:

Jeffrey A. Smith

Signature:

/jas/

Date:

12/12/2012

**Total Attachments: 3**

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## Trademark Assignment Agreement

By and between

Stid-Chemie IP GmbH & Co. KG, Munich, registered in the commercial register of the court of first instance in Munich (Amtsgericht München) under HRA 98206 having its address at Lenbachplatz 6, 80333 München, Germany

-hereinafter "IP KG"-

and

Clariant International AG, Muttenz, Switzerland, having its address at Rothausstraße 61, 4132 Muttenz, Switzerland

-hereinafter "CLI-AG"-

### Preamble

WHEREAS IP-KG wishes to transfer certain assets and trademark rights to CLI-AG,

WHEREAS IP-KG is the registered owner of trademark right applications and/or registrations set out in Annex A, including the goodwill associated therewith, any common law rights in the marks corresponding to the applications and/or registrations, and the right to sue for past damages with respect to infringement of any of the foregoing, (hereinafter referred to as "Contract IP-Rights"),

AND WHEREAS CLI-AG desires to obtain the Contract IP-Rights and IP-KG is willing to assign the Contract IP-Rights upon the terms and conditions set out herein.

NOW THEREFORE, in view of the foregoing the parties agree to the following:

### 1. Assignment and Transfer of the Contract IP-Rights

(1) IP-KG thereby assigns all the rights in connection with the Contract IP-Rights to CLI-AG and

(2) CLI-AG hereby accepts the assignment of the Contract IP-Rights.

### 2. Representations and Warranties

(1) IP-KG represents and warrants that it is the owner of the Contract IP-Rights.

(2) IP-KG represents and warrants that the registration status of the Contract IP-Rights set forth in Annex A of this agreement is correctly provided.

**3. Price and Costs**

(1) CLI-AG shall pay to IP-KG the assignment price of 10 € (in words ten Euros) inclusive of statutory value added tax for the Contract IP-Rights.

(2) CLI-AG shall bear the costs and fees for the transfer of the Contract IP-Rights, unless otherwise agreed between the parties.

**4. Miscellaneous**

(1) This contract is governed exclusively by German law without giving effect to principles of conflict of laws.

(2) The court in Munich, Germany shall have exclusive jurisdiction and venue over disputes arising from or in connection with this agreement.

(3) The parties are each aware of the risk that one or more terms of this agreement may, contrary to the current perception of the parties to this agreement, be unenforceable or void. In each such case, the parties would like to exclude any doubt as to the validity of this agreement. Should one or more conditions of this agreement, including this clause, entirely or partially be or become unenforceable or void or should this agreement, contain any omission, the remaining provisions of this agreement shall remain in effect notwithstanding § 139 BGB. The occurrence of inapplicable or invalid provisions obligates the parties to replace these provisions with provisions which most closely reflect their commercial purpose.

München, 09. Oktober 2012

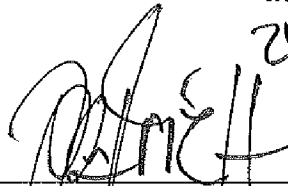
Süd-Chemie IP GmbH & Co. KG  
Lenbachplatz 6  
80333 München



Klaus Dieter Fiere  
Chief Executive Officer  
Süd-Chemie IP GmbH & Co. KG

**Clariant International AG**

24.10.2012



Name Dr. Isabelle Friedhoff  
Position Corporate Counsel  
Clariant International AG



Name Alfred Münch  
Position General Counsel  
Clariant International AG

## Annex A

### Trademark List

Assignment from Süd-Chemie IP GmbH & Co. KG  
to  
Clariant International AG

| Country                  | Mark                                     | Application Date | Application No. | Registration Date | Registration No. | Reference      |
|--------------------------|--|------------------|-----------------|-------------------|------------------|----------------|
| United States of America | EnviCat                                  | 23/08/1999       | 75/782 644      | 08/10/2002        | 2,629,705        | 33272-SÜD-M-US |
| United States of America | HyProGen                                 | 17/11/2005       | 78/748 827      | 20/04/2010        | 3,779,561        | 33285-SÜD-M-US |
| United States of America | HyProGen The power behind fuel cells     | 09/11/2005       | 78/750,070      | 24/02/2009        | 3,581,721        | 33287-SÜD-M-US |
| United States of America | HyProGen Unlocking the power of hydrogen | 01/11/2005       | 78/744,657      | 07/11/2006        | 3,168,070        | 33288-SÜD-M-US |
| United States of America | HYSOPAR                                  | 23/09/1997       | 75/361 769      | 14/09/1999        | 2 277 167        | 33292-SÜD-M-US |
| United States of America | ReforMax                                 | 20/05/2005       | 78/634,324      | 25/03/2008        | 3,403,048        | 33305-SÜD-M-US |
| United States of America | SC Defining the Future                   | 08/09/2005       | 78/709,357      | 01/07/2008        | 3,458,007        | 33306-SÜD-M-US |
| United States of America | Taking care of clean power and air       | 12/02/2009       | 77/669,195      | 23/08/2011        | 4,014,292        | 33940-SÜD-M-US |
| United States of America | Sunliquid                                | 10/12/2008       | 77/630,439      |                   |                  | 34045-SÜD-M-US |
| United States of America | St-Fuel                                  | 10/12/2008       | 77/630,423      |                   |                  | 34046-SÜD-M-US |
| United States of America | VAM <sup>2</sup> ax                      | 23/02/2010       | 77/943,015      |                   | 3,866,814        | 34255-SÜD-M-US |
| United States of America | Liquebeet                                | 27/08/2010       | 85/117,293      |                   |                  | 34920-SÜD-M-US |
| United States of America | Defining the Future                      | 06/04/2011       | 85/288,177      |                   |                  | 35197-SÜD-M-US |