

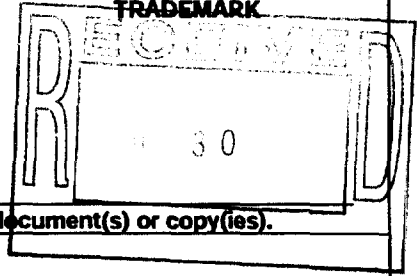
08-03-1999

FORM PTO-1618A
Expires 08/30/99
OMB 0651-0027



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U.S. Department of Commerce
Patent and Trademark Office
TRADEMARK



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TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

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New

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Conveyance Type

Assignment License

Security Agreement Nunc Pro Tunc Assignment

Merger
Effective Date
Month Day Year _____

Change of Name

Other _____

Conveying Party Mark if additional names of conveying parties attached

Name Essroc Cement Corp. Execution Date
Month Day Year 07151999

Formerly Essroc Materials Inc.

Individual General Partnership Limited Partnership Corporation Association

Other _____

Citizenship/State of Incorporation/Organization Pennsylvania

Receiving Party Mark if additional names of receiving parties attached

Name Tomahawk, Inc.

DBA/AKATA _____

Composed of _____

Address (line 1) 1105 North Market Street, Ste. 1300

Address (line 2) _____

Address (line 3) Wilmington Delaware 19801
City State/Country Zip Code

Individual General Partnership Limited Partnership If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)

Corporation Association

Other _____

Citizenship/State of Incorporation/Organization Delaware

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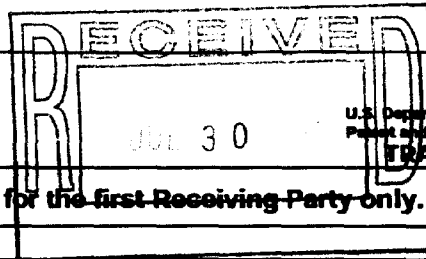
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08/02/1999 BNGUYEN 00000250 2056652

01 FC:481 40.00 DP
02 FC:482 50.00 DP

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Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231



Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Correspondent Name and Address

Area Code and Telephone Number

(212) 351-4620

Name

Philip D. Mitchell, Esq.

Address (line 1)

c/o Epstein Becker & Green, P.C.

Address (line 2)

250 Park Avenue

Address (line 3)

New York, New York 10177-0077

Address (line 4)

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

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1

Trademark Application Number(s) or Registration Number(s)

Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)

Registration Number(s)

Three empty boxes for Trademark Application Number(s)

Registration Number(s) boxes containing 2056652, 2098031, 2062529

Number of Properties

Enter the total number of properties involved.

#

3

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$

90.00

Method of Payment:

Enclosed

Deposit Account

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

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Authorization to charge additional fees:

Yes

No

Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Philip D. Mitchell

Name of Person Signing

Philip D. Mitchell
Signature

7/29/99

Date Signed

TRADEMARK ASSIGNMENT

WHEREAS, ESSROC CEMENT CORP., a corporation organized and existing under the laws of the State of Pennsylvania, with its principal place of business at 248-Bath Highway, Bath, Pennsylvania 18014, is the owner of the trademarks and registrations thereof registered in the United States Patent and Trademark Office as set forth below:

<u>Trademark</u>	<u>Registration</u>
VELVET	Registration No. 2,056,652
SAYLOR'S ESTABLISHED 1866 and Design	Registration No. 2,098,031
ESSROC BLX CEMENT and Design	Registration No. 2,062,529

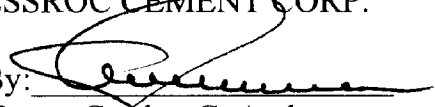
WHEREAS, TOMAHAWK, INC., a corporation organized and existing under the laws of Delaware, with its principal place of business at 1105 North Market Street, Ste. 1300, Wilmington, Delaware 19801 desires to acquire said marks and registrations and applications.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ESSROC CEMENT CORP. hereby sells, assigns and transfers to TOMAHAWK, INC. all rights, title and interest in the said trademarks and registrations and applications thereof as set forth, together with the goodwill of the business connected with and symbolized by the said marks and together with all the rights for recovery and have the damages and profits for past infringements, if any.

IN WITNESS WHEREOF, the undersigned, have caused this instrument to be executed this 15 day of July 1999.

[Corporate Seal]

ESSROC CEMENT CORP.

By: 
Name: Gordon C. Andrews
Title: Secretary

SUBSCRIBED and SWORN to
Before me this _____ of _____
_____.

Notary Public
My Commission Expires: