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03-15-2000

FORM PTO-1594
(Rev. 8-93)

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U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

OMB No. 0651-0011 (exp. 4/94)

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To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copies thereof.

1. Name of conveying party(ies):
Mining Technologies International, Inc.

- Individual(s)
- General Partnership
- Corporation-State ontario, Canada
- Other _____
- Association
- Limited Partnership

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other _____

Execution Date: December 10, 1999

2. Name and address of receiving party(ies)
Name: Polycorp Inc.
Internal Address: _____
Street Address: 33 York Street
Elora, Ontario, Canada N0B1S0
City: _____ State: _____ ZIP: _____

- Individual(s) citizenship _____
- Association _____
- General Partnership _____
- Limited Partnership _____
- Corporation-State Ontario, Canada
- Other _____

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No
(Designations must be a separate document from assignment)
Additional name(s) & address(es) attached? Yes No

4. Application number(s) or patent number(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

- 1,401,173
- 1,430,239
- 1,362,917

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Patrick C. Stephenson

Internal Address: _____

McGrath, North, Mullin & Kratz, P.C.

Street Address: Suite 1400

222 South 15th Street

City: omaha State: NE ZIP: 68102

6. Total number of applications and registrations involved: 3

7. Total fee (37 CFR 3.41).....\$ 90.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number: _____

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. 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.

Patrick C. Stephenson
Name of Person Signing

Signature

2/3/00
Date

Total number of pages including cover sheet, attachments, and document:

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

TRADEMARK
REEL: 002033 FRAME: 0502

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03/14/2000 JSH/DAZZ 00000130 1401173

01 FC:101
02 FC:102

(28.00 HP)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner of Patents and Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

**POWER OF ATTORNEY AND
DESIGNATION OF DOMESTIC REPRESENTATIVE**

The undersigned hereby appoints Patrick C. Stephenson, John P. Passarelli, James M. Sulentic and Christopher M. Bikus of McGrath, North, Mullin & Kratz, P.C., 1400 One Central Park Plaza, Omaha, Nebraska 68102 (attorneys admitted to practice before the Supreme Court of the State of Nebraska), its attorneys to prosecute the registrations referenced below, with full power of substitution and revocation, to transact all business in the Patent and Trademark Office in connection therewith, and to receive all correspondence and materials in regard thereto.

Registrant, Polycorp Inc., hereby designates Patrick C. Stephenson, whose postal address is McGrath, North, Mullin & Kratz, P.C., 1400 One Central Park Plaza, 222 South 15th Street, Omaha, Nebraska 68102, as Registrant's representative upon whom notice or process in proceedings affecting the following marks may be served:

<u>Mark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>
EPGUARD	1,430,239	02/24/1987
EPFLEX	1,401,173	07/15/1986
EPTON E & Design	1,362,917	10/01/1985

POLYCORP INC.

By: _____
 Name: PETER SNUDD
 Title: POWERED

DATED: JAN 10/2000

NUNC PRO TUNC TRADE MARK ASSIGNMENT

WHEREAS, MINING TECHNOLOGIES INTERNATIONAL INC., a corporation created under the laws of the Province of Ontario and having its registered office address at Suite 402, 1 University Avenue, Toronto, Ontario, M5J 2P1, Canada, was the owner of the trade marks listed on the attached Schedule "A" and the Registrations there set out;

WHEREAS on *August 27, 1997*, the above identified MINING TECHNOLOGIES INTERNATIONAL INC. assigned to POLYCORP INC., a corporation created and existing under the laws under the Province of Ontario and having its principal place of business at 33 York Street, Elora, Ontario, N0B 1S0, Canada, all right, title and interest in and to the aforesaid trade marks and United States Federal and Canadian Registrations, together with the goodwill of the business symbolized by the trade marks;

NOW THEREFORE, be it known that MINING TECHNOLOGIES INTERNATIONAL INC. hereby sells, transfers and assigns to the said POLYCORP INC., Nunc Pro Tunc as of *August 24, 1997*, all right, title and interest in Canada and the United States of America to the above identified trade marks and Registrations, together with the goodwill of the business symbolized by those trade marks, the same to be held by POLYCORP INC., as fully and entirely as the same could have been held and enjoyed by MINING TECHNOLOGIES INTERNATIONAL INC. if this assignment has not been made, this assignment including the assignment of the right to take action and recover in respect of any infringement of the rights of MINING TECHNOLOGIES INTERNATIONAL INC that took place prior to the date of this assignment, and the right to oppose any Application filed to register a trade mark which may be confusingly similar to one or more of the assigned trade marks.

IN WITNESS WHEREOF, MINING TECHNOLOGIES INTERNATIONAL INC. has caused this instrument to be executed by its duly authorized officer at the City of *Sudby*, in the Province of Ontario, Canada, this *10th* day of *December*, 1999

MINING TECHNOLOGIES INTERNATIONAL, INC.

Mining Technologies International Inc.
NAME:
BY: *Vito J. Skel*
Title: *Vice President of Finance*

SCHEDULE "A"

CANADIAN TRADE MARKS

<u>Trade Mark</u>	<u>Registration No.</u>
EPFLEX	309,031
EPGUARD	310,590
EPSEAL	320,214
EPTON	373,300
EPTON DESIGN	306,031

UNITED STATES TRADE MARKS

<u>Trade Mark</u>	<u>Registration No.</u>
EPFLEX	1,401,173
EPGUARD	1,430,239
EPTON	1,362,917