

11-13-2001



101895866

Docket No.:

CPA1053

Tab settings

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

1. Name of conveying party(ies):

Lucas Industries Plc

11-7-01

- Individual(s)
- General Partnership
- Corporation-State
- Other Public Limited Company - ENGLAND

Additional names(s) of conveying party(ies) Yes No

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other
- Association
- Limited Partnership
- Merger
- Change of Name

Execution Date: June 9, 1997

2. Name and address of receiving party(ies):

Name: Senior Heat Treatment Limited

Internal Address: 39-43 Bilton Way, Luton

Street Address: Bedfordshire, LU1 1UU, ENGLAND

City: _____ State: _____ ZIP: _____

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State
- Other Limited Company - ENGLAND

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

4. Application number(s) or registration numbers(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

1,974,436 NITROTEC

Additional numbers Yes No

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

Name: Ronald E. Shapiro

Internal Address: _____

Street Address: Vorys, Sater, Seymour and Pease LLP

1828 L Street, NW, Eleventh Floor

City: Washington, State: DC ZIP: 20036

6. Total number of applications and registrations involved:.....

1

7. Total fee (37 CFR 3.41):.....\$ \$40.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

22-0585

11/09/2001 6TON11 00000077 1974436
01 FC:481 40.00 OP

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.

Ronald E. Shapiro

11/7/2001

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and

TRADEMARK

REEL: 002395 FRAME: 0244

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Registrant: Senior Heat Treatment Limited
 Mark: NITROTEC
 Registration No.: 1,974,436
 Registration Date: May 21, 1996
 International Class(es): 4

DESIGNATION OF DOMESTIC REPRESENTATIVE

Honorable Commissioner for Trademarks
 2900 Crystal Drive
 Arlington, Virginia 22202-3513

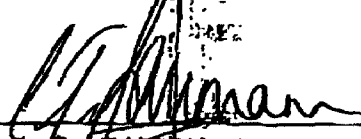
Sir/Madam:

Unless otherwise indicated below, the above-identified registrant designates Vorys, Sater, Seymour and Pease LLP, 1828 L Street, N.W., Eleventh Floor, Washington, D.C. 20036-5109 as its representative on whom notices or process in proceedings affecting the above mark may be served.

To designate a different representative, check here and provide the representative's name and address below:

SENIOR HEAT TREATMENT LIMITED

Date: 8th August 2001

By: 
 Name: C. J. BAUMANN
 Title: MANAGING DIRECTOR

11/06 09:51 MON 16:50 [TX/RX NO 7554]

CERTIFIED TO BE A TRUE COP

CERTIFIED TO BE A TRUE COPY

Slaughter and Haig

DATED 9 June 1997

LUCAS INDUSTRIES PLC and LUCAS ELECTRICAL LIMITED

- and -

SENIOR HEAT TREATMENT LIMITED

TRADE MARK ASSIGNMENT

BIRCOM38433



EVERSHEDS

[1552 ON XR/XX] 09:9T NOW TO, 90/TT

THIS ASSIGNMENT is made on

9 June

BETWEEN:-

- (1) **LUCAS INDUSTRIES PLC** (company registration number 54802) and **LUCAS ELECTRICAL LIMITED** (company registration number 00138397) both of whose registered offices are at Stratford Road Solihull B90 4LA ("the Assignor")
- (2) **SENIOR HEAT TREATMENT LIMITED** (company registration number 884462) whose registered office is at 39-43 Bilton Way, Luton, Bedfordshire LU1 1UU ("the Assignee")

BACKGROUND

The Assignors are each the registered proprietors of or (as the case may be) the applicants in respect of those of the trade mark registrations short particulars of which are given in Schedule 1 hereto ("the Registrations") and those of the trade mark applications short particulars of which are given in Schedule 2 hereto ("the Applications") which are listed in Schedule 1 and Schedule 2 against their respective names and have agreed to assign the same to the Assignee on the terms set out below.

OPERATIVE PROVISIONS**1. Assignment**

In consideration of the sum provided for in an agreement having the same date as this Assignment and made between (1) Lucas Limited, (2) Lucas Nitrotec Services Limited, (3) Lucas Industries plc, (4) the Assignee and (5) H.I.T. now paid by the Assignee to the Assignor (receipt of which the Assignor acknowledges) the Assignor hereby assigns to the Assignee free from all charges and encumbrances:-

- 1.1 All right title and interest in and to the Registrations including all statutory and common law rights connected with the Registrations (or rights having similar effect anywhere in the world) and the right to sue for any past infringement of those rights and to have the benefit of any relief so obtained

TOGETHER with the goodwill of the business relating to the goods specified in the Registrations

- 1.2 All right, title and interest in and to the Applications including all statutory and common law rights connected with the Applications (or rights having similar effect anywhere in the world) to the intent that upon each of the Applications proceeding to registration this Agreement shall operate to vest the respective rights of a registered proprietor in the Assignee and including the right to sue for any past infringement of any registration granted pursuant to any of the Applications and to have the benefit of any relief so obtained TOGETHER with the benefit of any use by the Assignor of the trade marks of any of the Applications prior to the date of any of the Applications AND TOGETHER with the goodwill of the business relating to the goods in respect of which any of the Applications shall lead to a registration

2. Assignor's Further Covenants

The Assignor further covenants that at the request and cost of the Assignee it will at all times hereafter do all such acts and execute all such documents as may reasonably be necessary or desirable (including obtaining notarisations and other necessary attestations)

- (a) to assist in the resolution of any question concerning the Registrations or Applications; and/or
- (b) to register the Registrations and the Applications in the name of the Assignee in the countries or states where the same is registered or have been filed

3. Governing Law

English law shall apply to this Assignment and the parties submit to the exclusive jurisdiction of the English Courts.

[9992 ON RY/YL] 05:91 NOW TO, 90/YI

Schedule 1

<u>Mark</u>	<u>Country</u>	<u>Registration No.</u>	<u>Class</u>	<u>Renewal</u>
Nitrotec	United Kingdom	B1204651	2	05.10.2004
		B1181778	4	16.09.2003
		B1181779	11	16.09.2003
		B1291147	40	25.10.2007
	Argentina	1.302.037	2	01.08.1998
		1.302.236	4	02.08.1998
		1.201.490	40	15.04.1996
				(in hand)
	Benelux	397886	2,4	06.01.2004
	Brazil	812440072	1,20,1,90	22.09.1997
812440064		2,20	22.02.1999	
812440056		37-56	11.08.1997	
Denmark	4325/1984	1,4,40	14.12.2004	
France	1256255	2,4,40	03.01.2004	
Germany*	1071052	1,40	30.12.2003	
India*	425712B	2	13.08.1998	
	425713B	4	13.08.1998	
Italy	434849	2,4,40	06.01.2004	
Japan	1937130	1	25.02.1997	
			(in hand)	
	1993811	3	27.10.1997	
			(in hand)	
		1887386	5	29.09.2006
South Africa	84/1434	2	26.02.2005	
	84/1435	4	26.02.2005	
	84/1436	40	26.02.2005	
Sweden	195817	2,4,40	19.04.2005	

[PSSZ ON YR/XL] 09:9T NOW TO. 90/TT

<u>Mark</u>	<u>Country</u>	<u>Registration No.</u>	<u>Class</u>	<u>Renewal</u>
	USA	1974436	4	21.05.2006 21.05.2001 (Affidavit)
		1974437	40	21.05.2006 21.05.2001 (Affidavit)
		1996332	11	22.08.2006 22.08.2001 (Affidavit)
Nitrobar	France	1480287	6	27.07.1998
	Germany*	1141628	6	31.10.1998
	Italy	535823	6	04.08.1998
	Japan	2713131	6	29.03.2006
	Spain	1268326	6	05.10.2009
	UK	B1349832	6	02.07.2005
	Mexico	522860	6	08.03.2004
Nitrotube	France	1480286	6	27.07.1998
	Germany*	1141627	6	31.10.1998
	Italy	535822	6	04.08.1998
	Japan	2450904	6	01.03.2002
	Mexico	522861	6	08.03.2004
	Spain	1268327	6	15.10.2009
	UK	B1349834	6	02.07.2005
	USA	1953409	6	30.01.2006

*In the name of "Lucas Electrical Limited"

Schedule 2

<u>Mark</u>	<u>Country</u>	<u>Application No.</u>	<u>Class</u>
Nitrotec	Thailand	309407	2
		309408	40
Nitrobar	USA	74/652487	6

11/06 '01 16:50 FAX NO. 4554 ON 18/11 09:91 NOV 10 90/TT

SIGNED by LUCAS INDUSTRIES PLC
acting by

C. Long-Leathes

SIGNED by LUCAS ELECTRICAL LIMITED
acting by

C. Long-Leathes

SIGNED by SENIOR HEAT TREATMENT LIMITED
acting by

159-ML