

06-28-2002



Atty Dkt. No.

06-13-2002

U.S. Patent & TMO/TM Mail Rpt Dt. #26

102139189

TO: **ATTN: Box ASSIGNMENT FEE**
Assistant Commissioner of Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Please record the attached original document(s) or copy(ies) thereof.

SUBMISSION TYPE:

- ☒ New **6-13-02**
☐ Resubmission (Non-Recordation) - Document
 ID _____
☐ Correction of PTO Error: Reel ____/Frame ____
☐ Corrective Document: Reel ____/Frame ____

CONVEYANCE TYPE:

- ☒ Assignment
☐ License
☐ Security Agreement
☐ Merger
☐ Nunc Pro Tunc Assignment
☐ Change of Name
☐ Other:
 Effective Date: May 28, 2002 (Day/Month/Year)

3 Total number of pages of attached conveyance document including any attachments.

CONVEYING PARTY(IES):

Name: Emagineered Solutions, Inc.

Formerly:

- ☐ Individual
 Citizenship: _____
☐ Association
☐ General Partnership
☐ Limited Partnership
☒ Corporation - State: Nevada
☐ Other: ____

Address:

ADDITIONAL NAME(S) OF CONVEYING PARTIES
 ATTACHED?

- ☐ YES
☒ NO

RECEIVING PARTY(IES):

Name: rePipe, Inc.

DBA/AKA/TA:

Address: 5051 Westheimer, Suite 1890
 Houston, Texas 77056

- ☐ Individual
 Citizenship: _____
☐ Association
☐ General Partnership
☐ Limited Partnership
☒ Corporation - State: Delaware
☐ Other: ____

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.) ☐ Yes ☐ No

ADDITIONAL NAME(S) OF RECEIVING PARTIES
 ATTACHED?

- ☐ YES
☒ NO

DOMESTIC REPRESENTATIVE:

Name:

Address:

CORRESPONDENT:

Name: Mark H. Miller
 Address: Jackson Walker, LLP
 112 E. Pecan, Suite 2100
 San Antonio, TX 78205
 Telephone: 210-978-7700

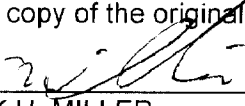
06/27/2002 DRYNE 00000273 78006035

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TRADEMARK
REEL: 002533 FRAME: 0335

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APPLICATION NUMBER(S) OR PATENT NUMBER(S):	
A. Trademark Application No.(s): App. No. <u>78/006,035</u> filed April 28, 2002 for <u>"THE SHOOTER"</u> Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	B. Trademark Registration No.(s): Reg. No. ___ issued ___ for "___" Additional numbers attached? <input type="checkbox"/> Yes <input type="checkbox"/> 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.  _____ MARK H. MILLER <u>6/7/02</u> DATE _____	TOTAL NUMBER OF PROPERTIES (APPLICATIONS AND REGISTRATIONS) INVOLVED: 1 TOTAL FEE (37 CFR 3.41): \$40.00 <input checked="" type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to Charge Account No. 07-2400. DEPOSIT ACCOUNT NUMBER 07-2400. (Attach duplicate copy of this form if paying by deposit account.)

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an envelope addressed to the "Assistant Commissioner of Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513", as follows:

<u>37 CFR 1.8(a)</u>	<u>37 CFR 1.10</u>
<input checked="" type="checkbox"/> With sufficient postage as First Class Mail. Date: <u>6-10</u> , 20 <u>02</u>	<input type="checkbox"/> As "Express Mail Post Office to Addressee", Mailing Label No. _____ Date: _____, 20__

Carolyn J. Gill
 Printed Name of Person Mailing Paper or Fee


 Signature of Person Mailing Paper or Fee

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06-13-2002

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #25

CONFIRMATORY ASSIGNMENT**ASSIGNMENT OF INTENT-TO-USE TRADEMARK APPLICATION**

WHEREAS, Emagineered Solutions, Inc., a Nevada corporation, having its principal offices at 4118 Hackberry Place, Davis, California, has a bona fide intent to use and filed an intent to use trademark application, Serial No. 78/006,035 filed April 28, 2000 for "apparatus to invert (evert) tube, lining, or such for lining or rehabilitation of pipes and passageways", now pending in the United States Patent and Trademark Office:

APPLICATION NO. REGISTRATION NO.	FILING DATE ISSUE DATE	TRADEMARK
App. 78/006,035 Ser.	Filed April 28, 2000 Issued	THE SHOOTER

WHEREAS, rePipe, Inc., a Delaware corporation ("Assignee"), with its principal offices located at 5051 Westheimer, Suite 1890, Houston, Texas 77056, is the successor to the business to which the mark pertains.

NOW, THEREFORE, in consideration of the sum of TEN Dollars (\$10.00) to the said ASSIGNOR in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, the said ASSIGNOR does hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said trademark(s), and the said United States application(s) and all trademarks of the United States which may be granted thereon, and all renewals or reissues thereof; and all applications for trademarks which may hereafter be filed for said mark in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Trademark Laws of the United States or any international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; together with the goodwill of the business symbolized by the trademark(s) and said applications to register said trademark(s); and any and all causes of action related thereto that may have heretofore accrued in ASSIGNOR's favor.

AND ASSIGNOR HEREBY authorizes and requests the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue trademarks, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND ASSIGNOR HEREBY covenants that it have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND ASSIGNOR HEREBY further covenants and agrees that it will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to me

respecting said mark, and testify in any legal proceeding, sign all lawful papers, execute all divisions, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper trademark protection for said mark in all countries.

IN TESTIMONY WHEREOF, Assignor hereunto sets its hand and seal this 24 day of May, 2002.

EMAGINEERED SOLUTIONS, INC.

By: _____

Signature

Name: Stephen Waring

Title: President

STATE OF CALIFORNIA

§

§

COUNTY OF _____

§

BEFORE ME, the undersigned authority, on this day personally appeared Stephen Waring, in his capacity as President of Emagineered Solutions, Inc., known to me to be the person of that name, who signed the foregoing instrument, and acknowledged that he executed the foregoing on behalf of said assignor and pursuant to authority duly received.

The Notary acknowledges that he/she (1) personally knows the acknowledging person, or (2) evidence of a witness or an identification card or other document was used to identify the acknowledging person.

GIVEN under my hand and seal of office this ____ day of _____, 2002.

(Notary Seal)

Notary Public, State of _____

Printed Name of Notary

Commission Expires _____

2651701v3 106925/00006

(See attached CA
acknowledgment)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

Yolo

} ss.

On

May 24, 2002

before me,

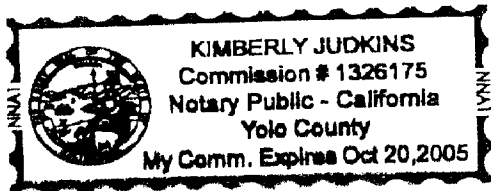
Kimberly Judkins, Notary Public

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared

Stephen Warner

Name(s) of Signer(s)

☐ personally known to me☒ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary Public
OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document:

Confirmatory Assignment

Document Date:

Number of Pages:

2

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer

Signer's Name:

☐ Individual☐ Corporate Officer — Title(s):☐ Partner — ☐ Limited ☐ General☐ Attorney-in-Fact☐ Trustee☐ Guardian or Conservator☐ Other:

Signer Is Representing:

**RIGHT THUMBPRINT
OF SIGNER**

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