

10-07-2003



U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

Form PTO-1594  
(Rev. 03/01)  
OMB No. 0651-0027 (exp. 5/31/2002)  
Tab settings ⇌ ⇌ ⇌ ▼ ▼ ▼ ▼ ▼ ▼ ▼

102569678

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

1. Name of conveying party(ies): Dorken MKS-Systeme GmbH & Co. KG **9.15.03**

- Individual(s)
- General Partnership
- Corporation-State
- Other Company of the Fed. Rep. of Germany
- Association
- Limited Partnership

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

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other \_\_\_\_\_
- Merger
- Change of Name

Execution Date: June 1, 2003

2. Name and address of receiving party(ies)

Name: Ewald Dorken AG  
Internal Address: Wetterstrasse 58

Street Address: 58313 Herdecke  
City: \_\_\_\_\_ State: See 1 Zip: \_\_\_\_\_

- Individual(s) citizenship \_\_\_\_\_
- Association \_\_\_\_\_
- General Partnership \_\_\_\_\_
- Limited Partnership \_\_\_\_\_
- Corporation-State \_\_\_\_\_
- Other See 2 in Addendum

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 registration number(s):

A. Trademark Application No.(s) 76/360,042;  
76/360,043; 76/360,044; 76/360,045

B. Trademark Registration No.(s)

Additional number(s) attached  Yes  No

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

Name: Marc A. Bergsman, Esquire

Internal Address: Dickinson Wright PLLC

Street Address: 1901 "L" Street, N.W., Suite 800

City: Washington State: DC Zip: See 3

6. Total number of applications and registrations involved: 4

7. Total fee (37 CFR 3.41) \$115.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

04-1061

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

TRADEMARK FEE PROCESS RECEIVED  
2003 SEP 5 P 3:53  
U.S. DEPARTMENT OF COMMERCE  
TRADEMARK OFFICE

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.

Marc A. Bergsman  
Name of Person Signing

Marc A. Bergsman  
Signature

September 15, 2003  
Date

Total number of pages including cover sheet, attachments, and document: 8

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



09-15-2003

TRADEMARK  
REEL: 002838 FRAME: 0721

# Addendum

1. Federal Republic Of Germany
2. Joint Stock Company of the Fed. Rep. of Germany
3. 20036-3506

## ASSIGNMENT

ASSIGNMENT effective June 1, 2003 by and between Dörken MKS-Systeme GmbH & Co. ("Assignor"), a limited liability company organized and existing under the laws of the Federal Republic of Germany, located at Wetterstrasse 58, 58313 Herdecke, Federal Republic of Germany and Ewald Dörken AG ("Assignee"), a joint stock company organized under the laws of the Federal Republic of German, located at Wetterstrasse 58, 58313 Herdecke, Federal Republic of Germany.

**WHEREAS**, Assignor owns the trademarks and applications listed on Exhibit No. 1 attached hereto (hereinafter the "Marks").

**WHEREAS**, Assignor is a wholly-owned subsidiary of Assignee.

**WHEREAS**, Assignee desires to transfer to itself the title to the Marks and the goodwill of the business associated therewith, as well as the U.S. trademark applications therefor.

**NOW THEREFORE**, in consideration of ten dollars (\$10) and other good and valuable consideration, Assignor hereby conveys, transfers, and assigns to Assignee all its rights, title, and interest in and to the Marks, as well as all the U.S. trademark registration therefor, together with the goodwill of the business symbolized thereby.

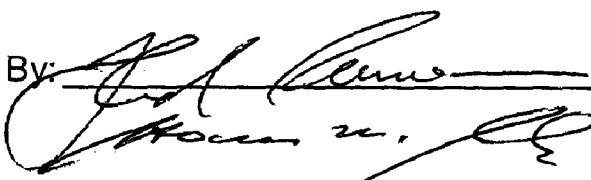
Assignor further assigns to Assignee all rights to sue for and receive all damages occurring from any past infringing uses of the Marks.

Assignor warrants that it has good and valid title to the Marks, including the registration therefor.

Assignor agrees that upon request by Assignee, Assignor shall execute all papers, make all rightful oaths, testify on behalf of Assignee and do other lawful acts necessary to carry to the intent of this Assignment at Assignee's expense and request, as well as provide such documents, material, information, or assistance as Assignee may consider necessary.

This Assignment shall be binding on the parties, their successors and/or assigns and all others acting by, through, with, or under their direction, and all those in privity therewith.

**Dörken MKS-Systeme GmbH & Co.**

By: 

Name: GERHARD REUSCHMANN  
HANS W. BELZ

Dr. Gerhard Reuschmann u.  
Hans W. Belz

\_\_\_\_\_ being duly sworn, did depose and say this 16th day of July, 2003, that he is authorized to execute this Assignment on behalf of Dörken MKS-Systeme GmbH & Co.; that he has read and signed the foregoing Assignment and knows and understands the contents thereof.



Notary Public

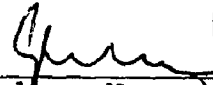
  
\_\_\_\_\_  
(Gerber, Notar)

EXHIBIT NO. 1

<u>Mark</u>	<u>Application No.</u>
DÖRKEN	76/360,042
DELTA	76/360,043
DELTA-MKS	76/360,045
MKS	76/360,044

UR-Nr. 337/2003

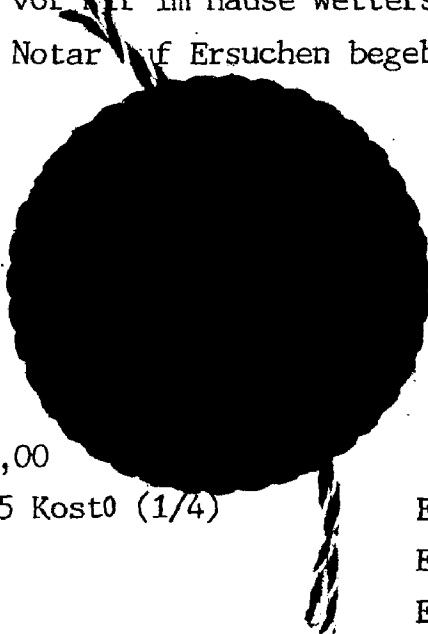
Nachdem die Frage des Notars nach einer Vorbefassung im Sinne des § 3 Abs. 1 Satz 1 Nr. 7 BeurkG verneint wurde, beglaubige ich hiermit die umstehenden, vor mir gefertigten Unterschriften der mir von Person bekannten Herren:

- Dr. Gerhard Reuschmann, geboren 16.09.191964, und
- Hans Wolfgang Belz, geboren 04.09.1943,

beide handelnd als Geschäftsführer der Firma Dörken MKS-Systeme Verwaltungsgesellschaft GmbH, diese wiederum handelnd als KomplementärGmbH der Firma Dörken MKS-Systeme GmbH & Co. KG, sämtlich geschäftsanässig Wetterstr. 58, 58313 Herdecke, unter Nummer 337 meiner Urkundenrolle für 2003.

Die Unterschriften wurden vor mir im Hause Wetterstr. 58, Herdecke, geleistet, wohin sich der amtierende Notar auf Ersuchen begeben hatte.

Herdecke, 16. Juli 2003



  
Notar

Kostenberechnung

Geschäftswert: EUR 20.000,00	
Gebühr §§ 141, 32, 154, 45 Kost0 (1/4)	EUR 18,00
Gebühr § 58 Kost0	EUR 18,00
Gebühr § 136 Kost0	EUR 1,50
Mehrwertsteuer 16 % gem. § 151ε Kost0	EUR 6,00
	EUR 43 50

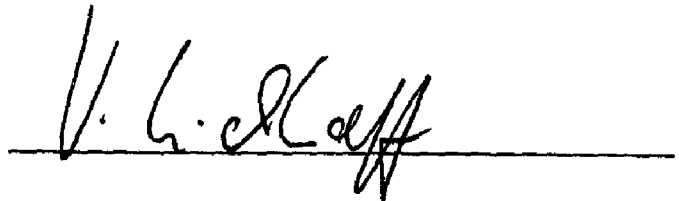
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## Declaration

I, Vera Kirchhoff, of Holzstrasse 39, 58453 Witten, Germany, do hereby declare that I am conversant with the English and German languages and am a competent translator thereof. I further declare that to the best of my knowledge and belief the following is a true and correct translation of the relevant document in the German language.

Witten, this 25<sup>th</sup> day of August 2003

A handwritten signature in black ink, appearing to read 'V. Kirchhoff', is written over a solid horizontal line.

**Translation of the German notarization on page 3 of the Assignment between Dörken MKS-Systeme GmbH & Co. and Ewald Dörken AG as of July 16, 2003:**

UR-Nr. 337/2003 (=Document-No. 337/2003)

After the Notary's question concerning a private, personal or commercial relationship in the sense of § 3 section 1, sentence 1, no. 7 BeurkG (= Certification Act) was denied, under No. 337 of my document roll I herewith certify the overleaf signatures, executed before me, of

- Dr. Gerhard Reuschmann, born 16.09.191964, and
- Hans Wolfgang Belz, born 04.09.1943,

known to me personally, both acting as Managing Directors of the company Dörken MKS-Systeme Verwaltungsgesellschaft GmbH, said company in turn acting as complementary limited partnership for the company Dörken MKS-System GmbH & Co. KG, all business-located at Wetterstr. 58, 58313 Herdecke.

The signatures were executed before me on the premises at Wetterstr. 58, Herdecke, where the officiated Notary has betaken himself on requested.

Herdecke, July 16, 2003

(Seal)

(Signature)

Notary Public

Calculation of cost:

Value of the business: EUR 20.000,00

Fee §§ 141, 32, 154, 45 cost order (1/4)

EUR 18,00

Fee § 58 cost order

EUR 18,00

Fee § 136 cost order

EUR 1,50

Value added tax 16% acc. § 151a cost order

EUR 6,00

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EUR 43,50

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(Signature)

Notary Public

Ewald Dörken AG appoints Dickinson Wright PLLC, located at 1901 L Street, N.W., Suite 800, Washington, D.C. 20036, its employees and agents, to act as its domestic representative upon whom may be served notices or process in proceedings affecting the registration, the mark, and rights thereunder.