

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Essroc Cement Corp.		10/14/2008	CORPORATION: PENNSYLVANIA
RECEIVING PARTY DATA			
Name:	Tomahawk, Inc.		
Street Address:	1105 North Market Street		
Internal Address:	1300		
City:	Wilmington		
State/Country:	DELAWARE		
Postal Code:	19801		
Entity Type:	CORPORATION: DELAWARE		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Registration Number:	2714597	DURADRIIVE	
CORRESPONDENCE DATA			
Fax Number:	(973)639-8939		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
Phone:	9736398297		
Email:	pmitchell@ebglaw.com		
Correspondent Name:	Philip D. Mitchell		
Address Line 1:	Epstein Becker & Green, P.C.		
Address Line 2:	250 Park Avenue		
Address Line 4:	New York, NEW YORK 10177		
ATTORNEY DOCKET NUMBER:	002642-00139		
NAME OF SUBMITTER:	Philip D. Mitchell		
Signature:	/philipdmitchell/		

CH \$40.00 2714597

Date:

10/14/2008

Total Attachments: 1

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TRADEMARK ASSIGNMENT

WHEREAS, ESSROC CEMENT CORP., a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, with its principal place of business at 3251 Bath Pike, Nazareth, Pennsylvania 18064, is owner by assignment of the trademark (the "Mark") and the federal trademark registration in the United States Patent and Trademark Office, as recorded therein at reel/frame number 003869/0654, as set forth below:

<u>Trademark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>	<u>Goods</u>
DURADRIIVE	2,714,597	May 6, 2003	ready mixed concrete

WHEREAS, TOMAHAWK, INC., a corporation organized and existing under the laws of Delaware, with its principal place of business at 1105 North Market Street, Suite 1300, Wilmington, Delaware 19801, and corporate affiliate of ESSROC CEMENT CORP., desires to acquire, and ESSROC CEMENT CORP desires to transfer to TOMAHAWK, INC., the Mark and federal registration thereof.

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 Mark and the federal registration thereof, together with the goodwill of the business connected with and symbolized by the Mark and federal registration thereof, and together with all the rights for recovery and the damages and profits for past infringements, if any, effective as of the date hereof.

IN WITNESS WHEREOF, the undersigned, have caused this instrument to be executed this 14 day of October 2008.

ESSROC CEMENT CORP.

By: 

John N. Metzger
Assistant Secretary