

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM494738

SUBMISSION TYPE:	CORRECTIVE ASSIGNMENT		
NATURE OF CONVEYANCE:	Corrective Assignment to correct the improper inclusion of serial number 2,221,241 previously recorded on Reel 004597 Frame 0480. Assignor(s) hereby confirms the Merger was improperly recorded.		
SEQUENCE:	4		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
American Crane and Tractor Parts, Inc.		10/18/2018	Corporation: MISSOURI
RECEIVING PARTY DATA			
Name:	American Crane and Tractor Parts, Inc.		
Street Address:	2200 State Line Road		
City:	Kansas City		
State/Country:	KANSAS		
Postal Code:	66103		
Entity Type:	Corporation: MISSOURI		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Registration Number:	2221241	AMERICAN CRANE & TRACTOR PARTS INCORPORA	
CORRESPONDENCE DATA			
Fax Number:	3142592020		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>			
Phone:	3142592000		
Email:	bcipdocketing@bclplaw.com		
Correspondent Name:	Nicole L. Grembocki		
Address Line 1:	211 N. Broadway, Suite 3600		
Address Line 4:	St. Louis, MISSOURI 63102		
ATTORNEY DOCKET NUMBER:	0151820		
NAME OF SUBMITTER:	Nicole L. Grembocki		
SIGNATURE:	/Nicole L. Grembocki/		
DATE SIGNED:	10/19/2018		
Total Attachments: 10			
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Registrant: American Crane and)
Tractor Parts, Inc.)
)
Mark: AMERICAN CRANE &)
TRACTOR PARTS)
INCORPORATED)
)
Registration No.: 2,221,241)
)
Registration Date: February 2, 1999)

DECLARATION IN SUPPORT OF CORRECTION OF CHAIN OF TITLE

The undersigned, Eric I Cohen, declares as follows:

1. I am Senior Vice President and Secretary of Terex USA, LLC, a Delaware limited liability company (“Terex”), and I am authorized to make this declaration on behalf of Terex. I make this declaration to correct the chain of title as recorded in the USPTO database for the above-referenced registration for the mark AMERICAN CRANE & TRACTOR PARTS INCORPORATED, U.S. Reg. 2,221,241 (the “Registration”).

2. On information and belief, the Registration issued on February 2, 1999 in the name of American Crane and Tractor Parts, Inc., a Missouri corporation.

3. Terex, including its predecessors in interest, is not and has never owned any interest in or to the Registration.

4. On January 4, 2006, Terex’s predecessor in interest, The American Crane Corporation, a North Carolina corporation, changed its name to Terex Cranes Wilmington, Inc., a North Carolina corporation. On August 2, 2006, that name change was improperly recorded against the Registration. Assignment 1 of 11, Reel/Frame 3360/0735.

5. On August 14, 2008, Terex’s predecessor in interest, Terex Cranes Wilmington, Inc., recorded against the Registration a corrective declaration identifying the error in the August 2, 2006 recordation, and seeking correction of the chain of title for the Registration. Assignment 2 of 11, Reel/Frame 3835/0453. Although the corrective declaration was accepted for recordation by the USPTO, reference to the Registration was not removed from the improper recordation. *See* TMEP § 503.06(c).

6. On July 14, 2009, Terex Cranes Wilmington, Inc. (together with certain affiliates) entered into a certain Trademark Security Agreement (the “2009 Security Agreement”). On

August 19, 2009, the 2009 Security Agreement was improperly recorded against the Registration. Assignment 3 of 11, Reel/Frame 4046/0616.

7. On August 31, 2009, Terex Cranes Wilmington, Inc. was merged with Terex. On August 4, 2011, the merger was improperly recorded against the Registration. Assignment 4 of 11, Reel/Frame 4597/0480.

8. A release of the 2009 Security Agreement was executed on August 11, 2011 and improperly recorded against the Registration on September 23, 2011. Assignment 5 of 11, Reel/Frame 4629/0181.

9. On August 11, 2011, Terex (together with certain affiliates) entered into a certain Trademark Security Agreement (the "2011 Security Agreement"). On September 23, 2011, the 2011 Security Agreement was improperly recorded against the Registration. Assignment 6 of 11, Reel/Frame 4629/0199.

10. A release of the 2011 Security Agreement was executed on August 13, 2014 and improperly recorded against the Registration on September 15, 2014. Assignment 7 of 11, Reel/Frame 5362/0643.

11. On August 13, 2014, Terex (together with certain affiliates) entered into a certain Trademark Security Agreement (the "2014 Security Agreement"). On September 15, 2014, the 2014 Security Agreement was improperly recorded against the Registration. Assignment 8 of 11, Reel/Frame 5362/0667.

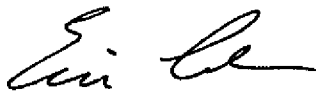
12. A release of the 2014 Security Agreement was executed on January 31, 2017 and improperly recorded against the Registration on February 1, 2017. Assignment 10 of 11, Reel/Frame 5978/0343.

13. On January 31, 2017, Terex (together with certain affiliates) entered into a certain Trademark Security Agreement (the "2017 Security Agreement"). On February 1, 2017, the 2017 Security Agreement was improperly recorded against the Registration. Assignment 11 of 11, Reel/Frame 5978/0537.

14. This declaration is being submitted to correct the chain of title for the Registration, to clarify that Terex, including its predecessors in interest, does not and has never owned any interest in or to the Registration, and to seek removal of all references to the foregoing Reel/Frame numbers from the Registration. *See* TMEP § 503.06(c).

15. On information and belief, American Crane and Tractor Parts, Inc., a Missouri corporation, has been and continues to be the owner of the Registration.

The undersigned further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of the application or document or any registration resulting therefrom.

By: 
Eric I Cohen
Senior Vice President and Secretary,
Terex USA, LLC

Dated: October 18, 2018

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	MERGER
EFFECTIVE DATE:	08/31/2009

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
TEREX CRANES WILMINGTON, INC.		08/31/2009	CORPORATION: NORTH CAROLINA

RECEIVING PARTY DATA

Name:	TEREX USA, LLC
Street Address:	200 Nyla Farm Road
City:	Westport
State/Country:	CONNECTICUT
Postal Code:	06880
Entity Type:	LIMITED LIABILITY COMPANY: DELAWARE

PROPERTY NUMBERS Total: 5

Property Type	Number	Word Mark
Registration Number:	0570504	AMERICAN
Registration Number:	1348905	RING HORSE
Registration Number:	1348906	RING HORSE
Registration Number:	1978640	WORKHORSE
Registration Number:	2221241	AMERICAN CRANE & TRACTOR PARTS INCORPORATED

CORRESPONDENCE DATA

Fax Number: (248)358-3351
Correspondence will be sent via US Mail when the fax attempt is unsuccessful.
Phone: 248-358-4400
Email: lredman@brookskushman.com
Correspondent Name: LEON E. REDMAN
Address Line 1: 1000 TOWN CENTER, 22nd FLOR
Address Line 4: SOUTHFIELD, MICHIGAN 48075

900198864

TRADEMARK
 REEL: 004597 FRAME: 0480
TRADEMARK
 REEL: 006462 FRAME: 0651

CH \$140.00 0570504

ATTORNEY DOCKET NUMBER:	TERT0100A
NAME OF SUBMITTER:	Leon E. Redman
Signature:	/Leon E. Redman/
Date:	08/04/2011
Total Attachments: 5 source=TEREX CRANES WILMINGTON INC CERTIFICATE OF MERGER#page1.tif source=TEREX CRANES WILMINGTON INC CERTIFICATE OF MERGER#page2.tif source=TEREX CRANES WILMINGTON INC CERTIFICATE OF MERGER#page3.tif source=TEREX CRANES WILMINGTON INC CERTIFICATE OF MERGER#page4.tif source=TEREX CRANES WILMINGTON INC CERTIFICATE OF MERGER#page5.tif	

Delaware

PAGE 1

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"TEREX CRANES WILMINGTON, INC.", A NORTH CAROLINA CORPORATION,

WITH AND INTO "TEREX USA, LLC" UNDER THE NAME OF "TEREX USA, LLC", A LIMITED LIABILITY COMPANY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE THIRTY-FIRST DAY OF AUGUST, A.D. 2009, AT 8:10 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE THIRTY-FIRST DAY OF AUGUST, A.D. 2009, AT 11:59 O'CLOCK P.M.

4466684 8100M

090819691




Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 7502068

DATE: 08-31-09

You may verify this certificate online
at corp.delaware.gov/authver.shtml

TRADEMARK
REEL: 006502 FRAME: 0682

CERTIFICATE OF MERGER

OF

TEREX CRANES WILMINGTON, INC.
(a North Carolina corporation)

AND

TEREX USA, LLC
(a Delaware limited liability company)


Pursuant to Title 6, Section 18-209 of the Delaware Limited Liability Company Act

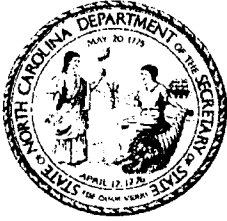
1. The name of the surviving limited liability company is Terex USA, LLC, a Delaware limited liability company (the "Company").
2. The name of the corporation being merged into the Company is Terex Cranes Wilmington, Inc. ("Terex Cranes"). The jurisdiction in which this corporation was formed is North Carolina.
3. The Agreement and Plan of Merger has been approved and executed by both Terex Cranes and the Company.
4. The name of the surviving limited liability company is Terex USA, LLC.
5. The effective date of the merger shall be at 11:59 pm, August 31, 2009.
6. The executed Agreement and Plan of Merger is on file at Terex Corporation, 200 Nyala Farm Road, Westport, CT 06880, the principal place of business of the surviving limited liability company.
7. A copy of the Agreement and Plan of Merger will be furnished by the Company on request, without cost, to any member of the limited liability company or any person holding an interest in any other business entity which is to merge or consolidate.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the Company has cause this certificate to be signed by an authorized person this 20th day of August, 2009

Terex USA, LLC
By: Terex Corporation
Sole Member

By: 
Eric I Cohen
Senior Vice President, Secretary
and General Counsel Terex Corporation



NORTH CAROLINA

Department of The Secretary of State

To all whom these presents shall come, Greetings:

I, ELAINE F. MARSHALL, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached to be a true copy of

ARTICLES OF MERGER

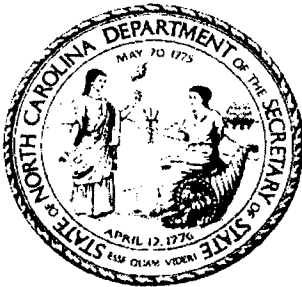
OF

TEREX CRANES WILMINGTON, INC.

INTO

TEREX USA, LLC

the original of which was filed in this office on the 31st day of August, 2009.



IN WITNESS WHEREOF, I have hereunto
set my hand and affixed my official seal at the
City of Raleigh, this 31st day of August, 2009

Elaine F. Marshall

Secretary of State

Document Id: C200924300346

TRADEMARK
REEL: 006502 FRAME: 0686

SOSID: 1111830
Date Filed: 8/31/2009 2:27:00 PM
Elaine F. Marshall
North Carolina Secretary of State
C200924300346

State of North Carolina
Department of the Secretary of State

ARTICLES OF MERGER

Pursuant to North Carolina General Statute Sections 55-11-05(a), 55A-11-09(d), 55A-11-04, 57C-9A-22(a), 59-73.32(a) and 59-1072(a), as applicable, the undersigned entity does hereby submit the following Articles of Merger as the surviving business entity in a merger between two or more business entities.

1. The name of the surviving entity is Terex USA, LLC, a (check one) corporation, nonprofit corporation, professional corporation, limited liability company, limited partnership, partnership, limited liability partnership organized under the laws of Delaware (state or country).
2. The address of the surviving entity is:
Street Address 200 Nyala Farm Road City Westport
State Connecticut Zip Code 06880 County Fairfield
(Complete only if the surviving business entity is a foreign business entity that is not authorized to transact business or conduct affairs in North Carolina.) The mailing address of the surviving foreign business entity is: _____
The Surviving foreign business entity will file a statement of any subsequent change in its mailing address with the North Carolina Secretary of State.
3. For each merging entity: (if more than one, complete on separate sheet and attach.)
The name of the merged entity is Terex Cranes Wilmington, Inc., a (check one) corporation, nonprofit corporation, professional corporation, limited liability company, limited partnership, partnership, limited liability partnership organized under the laws of North Carolina (state or country).
4. If the surviving business entity is a domestic business entity, the text of each amendment, if any, to the Articles of Incorporation, Articles of Organization, or Certificate of Limited Partnership within the Plan of Merger is attached.
5. A Plan of Merger has been duly approved in the manner required by law by each of the business entities participating in the merger.
6. These articles will be effective upon filing unless a delayed date and/or time is specified 8/31/2009, close of business.

This the 31 day of August, 2009

Terex USA, LLC, by Terex Corporation its sole member

Eric I Cohen
Signature

Eric I Cohen, Senior Vice President
Type or Print Name and Title

NOTES:

1. Filing fee is \$50 for For-profit entities.
2. Filing fee is \$25 for Non-profit entities.
3. This document must be filed with the Secretary of State. Certificate(s) of Merger must be registered pursuant to the requirements of N.C.G.S. Section 47-18.1

(Revised September 2005)
CORPORATIONS DIVISION

P. O. BOX 29622

(Form BE-15)
RALEIGH, NC 27626-0622