

D

Docket No.:

FCE-121

TRAD

03-28-2001



101667094

original documents or copy thereof.

conveying party(ies):

To the Honorable Commissioner of Patents and Trademarks

1. Name of conveying party(ies):

FLOW CONTROL EQUIPMENT, INC.

- Individual(s)
- General Partnership
- Corporation-State **TEXAS**
- Other

- Association
- Limited Partnership

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

Name: **ROBBINS & MYERS ENERGY SYSTEMS L.P.**

Internal Address: **363 N. SAM HOUSTON PKWY. EAST**

Street Address: **SUITE 950**

City: **HOUSTON** State: **TX** ZIP: **77060**

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership **TEXAS**
- Corporation-State
- Other

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

3. Nature of conveyance:

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

Execution Date: **MARCH 15, 2001**

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

A. Trademark Application No.(s)

EXHIBIT A ATTACHED

B. Trademark Registration No.(s)

EXHIBIT A ATTACHED

Additional numbers Yes No

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

Name: **LOREN G. HELMREICH**

Internal Address: **BROWING BUSHMAN**

Street Address: **5718 WESTHEIMER, STE. 1800**

City: **HOUSTON** State: **TX** ZIP: **77057**

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

14

7. Total fee (37 CFR 3.41):.....\$ **365.00**

E

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

02-4345



DO NOT USE THIS SPACE

03-19-2001

U.S. Patent & TMO/TM Mail Rpt Dt. #10

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.

LOREN G. HELMREICH

Name of Person Signing

Signature

MARCH 15, 2001

Date

Total number of pages including cover sheet, attachments, and



Registration No.

Mark

1,298,370

RESUN

1,607,144

STAYTITE

1,541,209

MAGNUM

1,148,370

SWING-BOLT

1,643,345

WILD CAT'R

2,015,645

BIG STUFF

2,061,843

KWIK-GAGE

2,173,346

SLICK PACK

2,038,693

QT SERIES

2,361,264

YALE

2,177,498

DOME

547,484

HAMER

1,648,487

LM

Application No.

Mark

75/755,631

LOTUS

EXHIBIT A

TRADEMARK ASSIGNMENT

The records in the United States Trademark Office evidence title in the list of registrations and applications attached as Exhibit A as being in the name of FLOW CONTROL EQUIPMENT, INC., a Texas Corporation. ROBBINS & MYERS ENERGY SYSTEMS L.P., a Texas limited partnership, has acquired all rights in and to these registrations from FLOW CONTROL EQUIPMENT, INC.

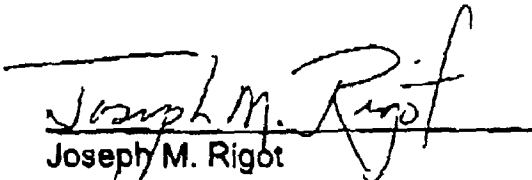
FLOW CONTROL EQUIPMENT, INC., a Texas Corporation, changed its name to ROBBINS & MYERS ENERGY SYSTEMS, INC., a Delaware Corporation, as evidenced by Exhibit B attached hereto.

For good and valuable consideration, ROBBINS & MYERS ENERGY SYSTEMS, INC., a Delaware Corporation, hereby sells, assigns, and transfers unto ROBBINS & MYERS SYSTEMS L.P., a Texas limited partnership having a business address at 363 N. Sam Houston Parkway East, Suite 950, Houston, Texas 77060, all of its right, title and interest in and to the registrations and applications listed in Exhibit A, including the goodwill associated with each trademark and the goodwill of the business symbolized by each mark, including all rights in countries foreign to the United States, together with all right to make application for and obtain trademark protection for any and all said trademarks in any and all countries throughout the World.

ROBBINS & MYERS ENERGY SYSTEM, INC. further sells, assigns, and grants to ROBBINS & MYERS ENERGY SYSTEMS L.P. all right in and to each such registration or application to be held and enjoyed by ROBBINS & MYERS ENERGY SYSTEMS L.P. for its own use and benefit and for the use and benefit of its successors, assigns, and other legal representatives, together with all claims for damages by reason of past infringement of the assigned trademark, with the rights to sue for and collect the same for its own use and benefit and for the use and benefit of its successors, assigns, or other legal representatives.

EXECUTED this 15th day of March 2001.

ROBBINS & MYERS ENERGY SYSTEMS, INC.

By: 
Joseph M. Rigot
Secretary

STATE OF Ohio

COUNTY OF Montgomery

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§
§

BEFORE ME, the undersigned authority, on the day and year above specified, personally appeared Joseph M. Rigot, known to me to be the person whose name is subscribed to the foregoing assignment and authorized to execute the foregoing assignment, and acknowledged to me that he executed the instrument as an act of such corporation and for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office this 15th day of March 2001.

L J Ernst

Notary Public in and for the State of Ohio



LISA J. ERNST, Notary Public
In and for the State of Ohio
My Commission Expires Jan. 27, 2006

Registration No.

Mark

1,298,370

RESUN

1,607,144

STAYTITE

1,541,209

MAGNUM

1,148,370

SWING-BOLT

1,643,345

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75/755,631

LOTUS

EXHIBIT A

RESTATED CERTIFICATE OF INCORPORATION

OF

FLOW CONTROL EQUIPMENT, INC.

Flow Control Equipment, Inc., a corporation organized and existing under the laws of the State of Delaware (the "Corporation"), hereby certifies as follows:

The Corporation was originally incorporated under the name Flow Control Technologies, Inc. and the original Certificate of Incorporation was filed with the Secretary of State of the State of Delaware on February 27, 1996. This Restated Certificate of Incorporation was duly adopted in accordance with Sections 242 and 245 of the General Corporation Law of the State of Delaware and restates, integrates and further amends the Certificate of Incorporation of the Corporation.

The provisions of the Certificate of Incorporation of the Corporation are hereby restated and amended in their entirety to read as follows:

FIRST: The name of the Corporation is Robbins & Myers Energy Systems, Inc.

SECOND: The address of the registered office of the Corporation in the State of Delaware is Corporation Trust Center, 1209 Orange Street, in the City of Wilmington, County of New Castle. The name of the Corporation's registered agent at such registered office is The Corporation Trust Company.

THIRD: The purpose of the Corporation shall be to engage in any lawful act or activity for which corporations may be organized under the General Corporation Law of Delaware.

FOURTH: The total number of shares of stock that the Corporation shall have authority to issue is one thousand (1,000) shares of common stock having no par value per share.

FIFTH: Elections of directors need not be by ballot unless the By-laws of the Corporation shall so provide.

SIXTH: In furtherance and not in limitation of the power conferred upon the Board of Directors by Law, the Board of Directors shall have power to make, adopt, alter, amend and repeal from time to time the By-laws of the Corporation, subject to the right of the stockholders entitled to vote with respect thereto to alter, amend and repeal By-laws adopted by the Board of Directors.

SEVENTH: A director of the Corporation shall not be liable to the Corporation or its stockholders for monetary damages for breach of fiduciary duty as a director, except to the extent such exemption from liability or limitation thereof is not permitted under the General Corporation Law of the State of Delaware as the same exists or may hereafter be amended. Any amendment, modification or repeal of the foregoing sentence shall not adversely affect any right or protection of a director of the Corporation hereunder in respect of any act of omission occurring prior to the time of such amendment, modification or repeal.

IN WITNESS WHEREOF, the undersigned has executed this Restated Certificate of Incorporation as of the 30th day of July, 1998.

FLOW CONTROL EQUIPMENT, INC.

By Joseph M. Rigot
Joseph M. Rigot
Secretary

Flow Control Equipment, Inc. Restated Certificate of Incorporation