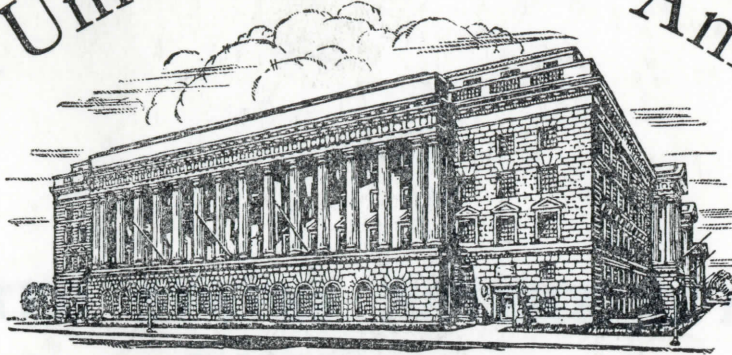


The United States of America



To All To Whom These PRESENTS Shall Come:

This is to Certify That by the records of the UNITED STATES PATENT OFFICE it appears that THE ELK HORN COAL CORPORATION, of Charleston, West Virginia, a corporation organized under the laws of the State of West Virginia, did, on the 5th day of May, 1943, duly file in said Office an application for REGISTRATION of a certain

TRADE-MARK

shown in the drawing for the goods specified in the statement, copies of which drawing and statement are hereto annexed, and duly complied with the requirements of the law in such case made and provided, and with the regulations prescribed by the COMMISSIONER OF PATENTS.

And, upon due examination, it appearing that the said applicant is entitled to have said TRADE-MARK registered under the law, the said TRADE-MARK has been duly REGISTERED this day in the UNITED STATES PATENT OFFICE, to

The Elk Horn Coal Corporation, its successors or assigns.

This certificate shall remain in force for TWENTY YEARS, unless sooner terminated by law.

In Testimony Whereof I have hereunto set my hand and caused the seal of the PATENT OFFICE to be affixed, at the city of Washington, this twenty-eighth day of December, in the year of our Lord one thousand nine hundred and forty-three, and of the independence of the United States the one hundred and sixty-eighth.

Conway P. Coe

Commissioner of Patents.

ATTEST:

E. L. Reynolds
Law Examiner.



Registered Dec. 28, 1943

Trade-Mark 404,883

UNITED STATES PATENT OFFICE

The Elk Horn Coal Corporation,
Charleston, W. Va.

Act of February 20, 1905

Application May 5, 1943, Serial No. 460,422



STATEMENT

To all whom it may concern:

Be it known that The Elk Horn Coal Corporation, a corporation duly organized under the laws of the State of West Virginia, located at Charleston, West Virginia, and by its receivers, Howard N. Eavenson, W. W. Goldsmith and J. J. Moore, doing business at 308 Union Building, in the city of Charleston, county of Kanawha, State of West Virginia, has adopted and used the trade-mark shown in the accompanying drawing, no claim being made to the descriptive words "appearance," "service" or "performance" and the word "Wayland" except as shown, for COAL, in Class 1, Raw and partly prepared materials, and presents herewith five (5) specimens showing the trade-mark as actually used by applicant upon the goods, and requests that the same be registered in the United States Patent Office in accordance with the act of February 20, 1905, as amended. The trade-mark has been continuously used and applied to the goods in the applicant's business since January 10, 1934, and in its present form since April 12, 1943.

Applicant is the owner of registration No. 316,852, issued September 4, 1934.

The trade-mark is applied or affixed to the goods, or to the packages containing the same, by placing thereon a printed label on which the trade-mark is shown, and also by stencilling or otherwise displaying the mark on bags, cars, trucks and other containers for the goods, as well as by distributing printed cards disclosing the mark in the loads for sale and transportation purposes.

The undersigned hereby appoints Charles R. Allen, Washington Loan and Trust Building, Washington, D. C., registry No. 11,276, its attorney, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to sign its name to the drawing, and to transact all business in the United States Patent Office connected therewith.

THE ELK HORN COAL CORPORATION,
By W. W. GOLDSMITH,
Receiver.

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