



Complaint Counsel believe that Respondents should be required to divest and convey the “Pitt-Des Moines” and “PDM” name and marks to an Acquirer on a permanent and exclusive basis for use in conducting the Relevant Business as divested. Therefore, in view of Pitt-Des Moines’ assessment of the legal feasibility of such licensing, Complaint Counsel believe that Respondents are fully capable of taking such actions as are necessary to protect the name and marks pending divestiture and to transfer them to the Acquirer on a permanent and exclusive basis for use in the Relevant Business.

DATED: April 11, 2005

Respectfully submitted,



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Naomi Licker  
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Counsel Supporting the Complaint  
Bureau of Competition  
Federal Trade Commission  
Washington, D.C. 20580

**CERTIFICATE OF SERVICE**

I hereby certify that I today caused:

One original and twelve copies of COMPLAINT COUNSEL'S RESPONSE TO PITT-DES MOINES' BRIEFING ON COMPLAINT COUNSEL'S MOTION FOR CLARIFICATION to be served by hand delivery and one copy to be served by electronic mail upon:

Office of the Secretary  
Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

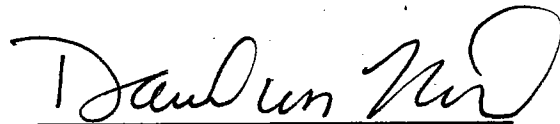
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Dated: April 11, 2005