

07-06-1998

OMB No. 0651-0011 (exp. 4/94)



Atty Docket No. Z0030/178561

To the Assistant Commissioner of Patents and

100754785

original documents or copy thereof.

1. Name of conveying party(ies):

*WRD*  
*6-8-98*

**K-D Products, Inc.**

- Individuals(s)
- General Partnership
- Corporation-State of California
- Other
- Association
- Limited Partnership

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

3. Nature of conveyance:

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

Execution Date: May 1, 1998

2. Name and address of receiving party(ies)

Name: **Baracuda International Corporation**

U.S. Patent & TMO/ TM Mail Receipt 01-#61

Internal Address:



06-08-1998

Street Address: **3420 N.W. 53rd Street**

City: **Fort Lauderdale**

State: **FL** Zip: **33309**

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State of Florida
- Other

If assignee is not domiciled in the United States, a domestic representative designation is attached:  Yes  No

Additional names(s) & address(es) attached?  Yes  No

4. Application numbers(s) or patent numbers(s):

A. Trademark Application No.(s)  
**75/185042 PORTA POOL**

B. Trademark Registration No.(s)  
**1,671,762 KD PRODUCTS**  
**2,101,527 K-D KONVERTIBLE**

Additional numbers attached?  Yes  No

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

Name: **Dean W. Russell, Esq.**

Internal Address: **Kilpatrick Stockton LLP**

06/30/1998 DNGUYEN 00000246 1671762

01 FC:481 Street Address: **1100 Peachtree Street**

02 FC:482 **50.00 00**

City: **Atlanta** State: **GA** Zip: **30909**

6. Total number of applications and registrations involved: **3**

7. Total fee (37 CFR 3.41).....\$ **90.00**

Enclosed

Authorized to be charged to deposit account

The Commissioner is authorized to charge any deficiency in the required fee or credit any over payment to Deposit Account No. 11-0860.

8. Deposit account number:

**11-0860**

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.

**Dean W. Russell**

Name of Person Signing

Signature

Date

*Dean W. Russell*

JUNE 2, 1998

Total number of pages including cover sheet, attachments, and document: **18**

**ASSIGNMENT OF TRADEMARK "PORTA POOL"**

Trademark: PORTA POOL  
Serial No. 75-185042  
Issue Date of NOA: January 20, 1998

ASSIGNOR:

K-D Products, Inc.,  
a California corporation  
1041 Calle Trepadora  
San Clemente, CA 92673-6204

ASSIGNEE:

Baracuda International Corporation,  
a Florida corporation  
3420 N.W. 53rd Street  
Fort Lauderdale, FL 33309

Assignee is the successor of the portion of the business of Assignor to which the Trademark pertains.

For valuable consideration received, Assignor hereby grants and assigns to Assignee, and Assignee hereby accepts the assignment of Assignor's entire right, title and interest to and in the Trademark and its pending registration; together with that part of the goodwill (the "Goodwill") of Assignor's business connected with the use of and symbolized by the Trademark; and together with all claims for past infringement and all causes of action, claims, damages and other rights it may have arising out of the Trademark or ownership thereof (the "Ownership Rights").

Assignor hereby undertakes to execute all such documents, and do such acts as may be reasonably requested by Assignee for vesting the full property, right, title and interest in the Trademark and its registration, the Goodwill, and the Ownership Rights in Assignee.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, Assignor and Assignee have caused their duly authorized representatives to execute and deliver this Assignment of Trademark "Porta Pool" as of 1st the day of May 1998.

**ASSIGNOR:**

**K-D Products, Inc.,**  
a California corporation

By: 

Hendrik C. Gillebaard  
Chairman of the Board

By: 

Hendrik C. Gillebaard, II  
President

**ASSIGNEE:**

**Baracuda International Corporation,**  
a Florida corporation

By: 

James Amtmann  
President

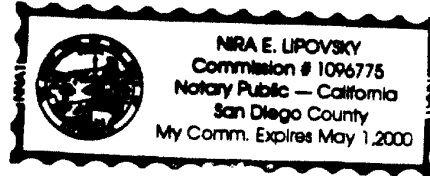
ACKNOWLEDGMENT

STATE OF CALIFORNIA        )  
  ) ss.  
COUNTY OF SAN DIEGO     )

On May 15, 1998, before me, NIRA E. LIPOVSKY, a Notary Public in and for said County and State, personally appeared **HENDRIK C. GILLEBAARD** personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal.

Nira E. Lipovsky  
Notary



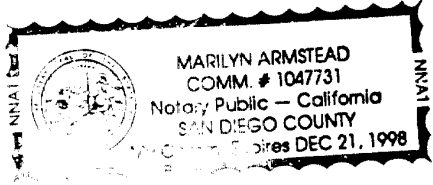
ACKNOWLEDGMENT

STATE OF CALIFORNIA      )  
  ) ss.  
COUNTY OF SAN DIEGO    )

On May 15, 1998, before me, Marilyn Armstead, a Notary Public in and for said County and State, personally appeared **HENDRIK C. GILLEBAARD, II** personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal.

Marilyn Armstead  
Notary



ACKNOWLEDGMENT

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF SAN DIEGO )

On May 15, 1998, before me, Marilyn Armstead, a Notary Public in and for said County and State, personally appeared JAMES AMTMANN personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal.

Marilyn Armstead  
Notary

