

11-09-1998

Form PTO-1594  
1-31-92



U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

10-30-98

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To the Honorable Commissioners.

... original documents or copy thereof.

<p>1. Name of conveying party(ies):</p> <p>AP PARTS MANUFACTURING COMPANY</p> <p><input type="checkbox"/> Individual(s)                      <input type="checkbox"/> Association  <input type="checkbox"/> General Partnership              <input type="checkbox"/> Limited Partnership  <input checked="" type="checkbox"/> Corporation-State  <input type="checkbox"/> Other _____</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies):</p> <p>Name: <u>GOERLICH'S INC.</u></p> <p>Internal Address: _____</p> <p>Street Address: <u>300 Dixie Trail</u></p> <p>City: <u>Goldsboro</u> State: <u>NC</u> ZIP: <u>27530</u></p> <p><input type="checkbox"/> Individual(s) citizenship _____  <input type="checkbox"/> Association _____  <input type="checkbox"/> General Partnership _____  <input type="checkbox"/> Limited Partnership _____  <input checked="" type="checkbox"/> Corporation-State _____  <input type="checkbox"/> Other _____</p> <p>If assignee is not domiciled in the United States, a domestic representative designation is attached: <input type="checkbox"/> Yes <input type="checkbox"/> No  (Designations must be a separate document from Assignment)  Additional name(s) &amp; address(es) attached? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>3 Nature of conveyance:</p> <p><input checked="" type="checkbox"/> Assignment                              <input type="checkbox"/> Merger  <input type="checkbox"/> Security Agreement                      <input type="checkbox"/> Change of Name  <input type="checkbox"/> Other _____</p> <p>Execution Date: <u>October 6, 1998</u></p>	

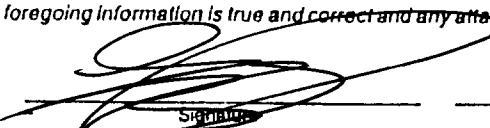
<p>4. Application number(s) or registration number(s):</p> <p>A. Trademark Application No.(s)</p> <p>B. Trademark registration No.(s)</p> <p><u>1,567,021</u>  <u>1,585,531</u></p> <p>Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
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<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: <u>George Pappas</u></p> <p>Internal Address: _____</p> <p>Street Address: <u>919 S. Harrison St.</u>  <u>Harrison Place, Suite 300</u></p> <p>City: <u>Fort Wayne</u> State: <u>IN</u> ZIP: <u>46802</u></p>	<p>6. Total number of applications and registrations involved: <span style="border: 1px solid black; padding: 2px;">2</span></p> <p>7. Total fee (37 CFR 3.41):..... \$ <u>65.00</u></p> <p><input checked="" type="checkbox"/> Enclosed (Check No. <u>13261</u>)</p> <p><input checked="" type="checkbox"/> Authorized to be charged to deposit account</p> <p>8. Deposit account number: <u>16-0248</u></p> <p>(Attach duplicate copy of this page if paying by deposit account)</p>
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01 FC:481  
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<p>9. Statement and signature: <u>40.00 DP</u> <u>85.00 DP</u></p> <p>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.</p> <p><u>George Pappas</u> Name of Person Signing</p> <p> Signature</p> <p><u>10/26/98</u> Date</p> <p>Total number of pages comprising cover sheet: <span style="border: 1px solid black; padding: 2px;">2</span></p>
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OMB No. 0651-0011 (exp. 4/94)

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Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503.

TRADEMARK

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# TRADEMARK ASSIGNMENT

In consideration of the payment by GOERLICH'S, INC., a North Carolina corporation ("Assignee"), having a principal place of business at 300 Dixie Trail, Goldsboro, North Carolina 27530, to AP PARTS MANUFACTURING COMPANY, a Delaware corporation ("Assignor"), having a business office at P.O. Box 64010, Toledo, Ohio 43612, of the sum of ONE DOLLAR (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration, Assignor hereby sells, assigns and transfers to Assignee, and its successors, assigns and legal representatives, the entire right, title and interest in and to any and all rights and privileges provided under the laws of the United States, the individual states thereof and jurisdictions for and thereto regarding the trademarks and the trademark registrations listed below, the goodwill of the business symbolized by the trademarks, and any and all renewals thereof, together with the right to bring suit and collect for past infringements thereof, the same to be held and enjoyed by assignee as fully and entirely as the same could have been held and enjoyed by Assignor if this assignment and sale had not been made.

NAME	REGISTRATION NO.	ISSUE DATE
XLERATOR	1,567,021	11/21/89
XLERATOR AND DESIGN	1,585,531	03/06/90

IN WITNESS WHEREOF, Assignor has duly executed this Agreement as of 6th day of October, 1998.

## AP PARTS MANUFACTURING COMPANY

By: Patrick S. Aubry  
Its: Asst. Secretary

STATE OF OHIO )  
COUNTY OF LUCAS) <sup>SS</sup>

The foregoing instrument was acknowledged before me on Oct. 6 1998 by Patrick S. Aubry as Asst. Secretary of AP Parts Manufacturing Company, a Delaware corporation, on behalf of the corporation.

Deborah J. Price  
Notary Public

DEBORAH J. PRICE  
Notary Public, State of Ohio  
My Commission Expires 8-8-99

County:  
My commission expires: