

11-27-1998



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SHEET

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U.S. DEPARTMENT OF COMMERCE

Patent and Trade

Trademark Office

To the Honorable Commissioner of Patents and Trademarks

Shed original documents or copy thereof.

1. Name of conveying party(ies):

Lumatech International Inc.

Individual(s)

Association

General Partnership

Limited Partnership

☒ Corporation

Other

MAK 11-17-98

Additional name(s) of conveying party(ies) attached? No

2. Name and address of receiving party(ies):

Name: Kohler Co.

Internal Address: 444 Highland Drive

Street Address: 444 Highland Drive

City: Kohler State: Wisconsin ZIP: 53044

Individual(s) citizenship

Association

General Partnership

Limited Partnership

☒ Corporation-State Wisconsin

Other

3. Nature of conveyance:

☒ Assignment

Merger

Security Agreement

Change of Name

Other

Execution Date: October 22, 1996

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

(Designations must be a separate document from Assignment)

Additional name(s) &amp; address(es) attached? No

4. Application number(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

2,096,278

Additional numbers attached? No

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

Name: Cheryl M. Smukowski

Internal Address: Quarles &amp; Brady

Street Address: 411 East Wisconsin Avenue

City: Milwaukee, State: Wisconsin ZIP: 53202

6. Total number of registrations involved:

1

7. Total fee (37 C.F.R. § 3.41). . . . . \$40.00

Enclosed

☒ Authorized to be charged to deposit account

8. Deposit account number: 17-0055

(Attach duplicate copy of this page if paying by deposit account)

11/24/1998 SBURNS 00000047 170055 2096278

01 FC:481

40.00 CH

DO NOT USE THIS SPACE

HOF

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.

Cheryl M. Smukowski

Name of Person Signing

Signature

Cheryl Smukowski

November 13, 1998

Date

Total number of pages including cover sheet, attachments, and document: 4

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents &amp; Trademarks, Box Assignments

Washington, D.C. 20231

# CONFIRMATORY ASSIGNMENT OF TRADEMARKS

This Confirmatory Assignment of Trademarks is made by Lumatech International Inc., a Barbados corporation with offices at Zona Franca Industrial de Las Americas, Santo Domingo, Dominican Republic (the "Assignor"), and Kohler Co., a Wisconsin corporation with its principal place of business at Kohler, Wisconsin 53044 (the "Assignee").

WHEREAS, as of the 1st day of April, 1996, the Assignor was by assignment the owner of the U.S. trademarks, the application, and the registrations listed in Exhibit A attached hereto.

AND WHEREAS, as of the 1st day of April, 1996, the Assignee acquired said trademarks, application, and the registrations, and the business and good will of the business therewith.

NOW, THEREFORE, as of the 1st day of April, 1996, the Assignor, for an in consideration of the sum of One U.S. Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby expressly acknowledged, confirms that it has sold, assigned, and transferred, nunc pro tunc unto said Assignee its entire right, title and interest in and to said trademarks, application, and the above-referenced registrations, together with the good will of the business symbolized by said trademarks, application and registrations, and its entire right, title and interest in and to any and all claims and demands it may have, at law or in equity, for past infringement of said trademarks.

IN WITNESS WHEREOF, the Assignor has caused this  
Confirmatory Assignment Of Trademarks to be executed and sealed  
by its duly authorized officer this 22nd day of OCTOBER,  
1996.

LUMATECH INTERNATIONAL INC.

By: [Signature]

Title: President

(SEAL)

Attest: \_\_\_\_\_

Title: \_\_\_\_\_

Before me this 22nd day of OCTOBER, 1996, came  
DeSmet M. KESSEL and \_\_\_\_\_  
to me known to be the persons who executed the foregoing document  
and to me know to be the PRESIDENT and \_\_\_\_\_  
respectively of Lumatech International Inc., and each  
acknowledged the execution of the foregoing document as the free  
act and deed of Lumatech International Inc.

Subscribed to and sworn before me this 22nd day of OCTOBER, 1996.

[Signature]

EXHIBIT A  
REGISTRATIONS

<u>MARK</u>	<u>REGISTRATION NO.</u>	<u>ISSUE DATE</u>	<u>INT. CLASSES</u>
LUMASWIRL	1,805,956	11/23/93	11
LUMASAN	1,807,320	11/30/93	11
LUMASTONE	1,807,516	11/30/93	17
LUMASWIRL-THE ULTIMATE BATHING EXPERIENCE!	1,825,060	03/08/94	11
AMERACRYL	1,955,230	02/06/96	11,20,21
LUMACAST	1,965,929	04/02/96	11

APPLICATION

<u>MARK</u>	<u>APPLICATION NO.</u>	<u>FILING DATE</u>	<u>INT. CLASS</u>
NOTHING LASTS LIKE LUMACAST	581,520	10/03/94	11