04-19-1999



**COVER SHEET** 

U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office

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To the 101013429 —	Please record the attached original documents or copy thereof.
1. Name of conveying party(ies):	2. Name and address of receiving party(ies).
Progress Lighting Inc.  □ Individual(s) □ Association □ General Partnership □ Limited Partnership	Progress Lighting Properties, Inc. 3221 W. Big Beaver Road, Suite 200 Troy, Michigan 48084-2811
<ul><li>☑ Corporation-Delaware</li><li>☐ Other</li></ul>	☐ Individual(s) citizenship: ☐ Association:
Additional name(s) of conveying party(ies) attached □ Yes ⊠ No	☐ General Partnership:
3. Nature of Conveyance:	□ Other:
<ul> <li>✓ Assignment</li> <li>☐ Merger</li> <li>☐ Change of Name</li> <li>☐ Other:</li> </ul>	If assignee is not domiciled in the United States, a domestic representative designation is attached \( \subseteq \text{ Yes} \supseteq \text{ No} \) (Designation must be a separate document from Assignment)  Additional name(s) & addresses attached? \( \supseteq \text{ Yes} \supseteq \text{ No} \)
Execution Date:	- Individual manie(s) to addresses attached: 1765 12 140
4. Application number(s) or registration number(s):	
A. Trademark Application No.(s): 75/330389	B. Trademark Reg. No.(s):
Additional numbers attached □ Yes ⊠ No	
5. Name and address of party to whom correspondence concerning document should be mailed:	6. Total number of applications and registrations involved:
Harriet E. Perkins, Esq. Seidel, Gonda, Lavorgna & Monaco, P.C. Suite 1800 Two Penn Center Plaza Philadelphia, Pennsylvania 19102-1786	7. Total fee (37 CFR 3.41) \$40.00  ☐ Enclosed ☐ Authorized to be charged to deposit account
	8. Deposit Account Number:
Attorney Docket No. 9420-2	
DO NOT USE THIS SPACE	
9. 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.	
HARRIET E. PERKINS Name of Person Signing Signature  Total number of pages including cover sheet, attachments and document: 3	
OMB No. 0651-0011 (exp. 4/94)	
Do not detach this portion	
Mail documents to be recorded with required cover sheet information to:	

**Commissioner of Patents and Trademarks Box Assignments** Washington, D.C. 20231

NUNC PRO TUNC ASSIGNMENT OF UNITED STATES TRADEMARK

WHEREAS, Progress Lighting Inc., a Delaware corporation, with a place of

business located at 101 Corporate Drive, Suite L, Spartanburg, South Carolina 29303

(hereafter "ASSIGNOR"), had adopted, used and was the owner of pending application

Serial No. 75/330,389 for "COUNTERBRITE," for registration in the United States

Trademark Office (hereafter the "Mark");

WHEREAS, Progress Lighting Properties, Inc. a Michigan corporation, with

a place of business at 3221 W. Big Beaver Road, Suite 200, Troy, Michigan 48084-2811

(hereinafter "ASSIGNEE") did acquire as of December 31, 1997, all right, title and interest

in and to the Mark, including any choses in action relating to said Mark, together with the

goodwill of the business symbolized by the Mark; and

WHEREAS, it is desired that the Assignment of the Mark, Nunc Pro Tunc, be

made of record in the U.S. Patent and Trademark Office.

NOW, THEREFORE, intending to be legally bound hereby, ASSIGNOR

acknowledges that it did on December 31, 1997, sell, assign, transfer and convey unto

ASSIGNEE all of its rights, title and interest in and to the Mark, including any choses in

action relating to the Mark, claims for damages, profits and costs, both in equity and law,

for any infringement or infringements of the Mark accruing on or before December 31,

1997, together with the goodwill of the business symbolized by the Mark, and further,

ASSIGNOR hereby covenants, agrees and undertakes to execute whenever requested by

ASSIGNEE all applications, assignments, lawful oaths and any other papers which

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229464.1 / 00920.0248 US / JLD

TRADEMARK REEL: 1884 FRAME: 0967 ASSIGNEE may deem necessary or desirable for securing to ASSIGNEE or for maintaining for ASSIGNEE the Mark hereby acknowledged to have been assigned and the choses in action therefor, all without further compensation to ASSIGNOR.

PROGRESS LIGHTING INC.

BY: Watter A. Muss. Name: WALTER A. GRAD Title: Vice President, Finance

STATE OF SOUTH CAROLINA county of Spactanbanc

BEFORE ME, the undersigned authority, on this \_\_\_\_\_ day of April 1999, personally appeared Walter A. Gragg, Jr., personally known to me (or proven to me on the basis of satisfactory evidence) to be the person who executed the foregoing instrument, who being duly sworn, did say that he was Vice President of Finance of Progress Lighting Inc., the corporation therein named as the Assignor, and that he had the authority to sign said instrument on behalf of the corporation; and he acknowledged to me that the instrument was the free deed and act of said corporation for the purposes set forth therein and intending that this instrument be recorded.

Dolua W. Meales

My Commission Expires: 4-30.208.

Debra W.MERbee Printed or stamped name of notary

RECORDED: 04/14/1999

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