

09-15-1999

Docket No.:

53



101145877

Tab settings → → → ▾

To the Honorable Commissioner of Patent:

These records are attached original documents or copy thereof.

1. Name of conveying party(ies)

James Heddons' Sons, Inc.

09-07-1999

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #22

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

Name: EBSCO Industries, Inc.

Internal Address: Post Office Box 1943

Street Address: Top of Oak Mountain

City: Birmingham State: AL ZIP: 35201

Individual(s) citizenship

Association

General Partnership

Limited Partnership

Corporation-State Delaware

Other

If assignee is not domiciled in the United States, a domestic designation is Yes N
(Designations must be a separate document from Additional name(s) & address(es) Yes N

Individual(s)

General Partnership

Corporation-State Michigan

Other

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

Association

Limited Partnership

3. Nature of conveyance:

Assignment

Security Agreement

Other

Merger

Change of Name

Execution Date: August 10, 1999

4. Application number(s) or registration numbers(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

373519

Additional numbers

Yes No

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

Name: Robert J. Veal, Registration No. 30,895

Internal Address: VEAL & BUSH, LLC

Street Address: 200 Cahaba Park Circle, Suite 125

City: Birmingham State: AL ZIP: 35242

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

1

7. Total fee (37 CFR 3.41):.....\$ 40.00

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

DO NOT USE THIS SPACE

09/13/1999 HTMA11 00000302 373519

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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.

Kenneth M. Bush, Registration No. 40544

Name of Person Signing

Signature

September 1, 1999

Date

Total number of pages including cover sheet, attachments, and

TRADEMARK

REEL: 001958 FRAME: 0573

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER (GENERAL)
(With Certificate of Mailing by First Class Mail)

Applicant/Registrant: **EBSCO Industries, Inc.**



Docket No.

Serial No.:

53

Registration No.: **373519**

09-07-1999

Trademark: **CRAZY-CRAWLER**

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #22

TO THE ASSISTANT COMMISSIONER FOR TRADEMARKS:

Transmitted herewith is the following:

- Assignment Recordation Cover Sheet
- Assignment
- Fee
- Postal Acknowledgment Card
- Certificate of Mailing

No fee is required.

Please charge Deposit Account No. _____ in the amount of _____
A duplicate copy of this sheet is enclosed.

A check in the amount of **\$40.00** is attached.
Any excess or insufficiency should be credited or debited to Deposit Account No. **500376**
A duplicate copy of this sheet is enclosed.

Signature

Dated: September 1 1999

Kenneth M. Bush, Registration No. 40,544
VEAL & BUSH, LLC
200 Cahaba Park Circle, Suite 125
Birmingham, Alabama 35242
Telephone No. (205) 991-0082
Facsimile No. (205) 991-8718

I certify that this document and fee is being deposited on **September 1 1999** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3512.

Signature of Person Mailing Correspondence

Sheila T. Bird

Typed or Printed Name of Person Mailing Correspondence

cc:

TM08/REV03

TRADEMARK
REEL: 001958 FRAME: 0574

ASSIGNMENT OF TRADEMARKS

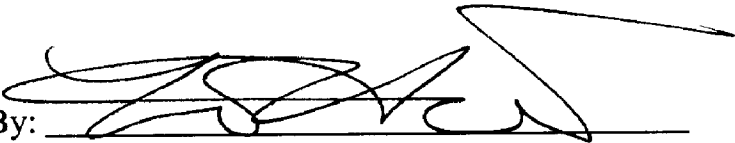
WHEREAS, James Heddon's Sons, Inc., a Michigan corporation ("HEDDON'S"), of 414 West Street, Dowagiac, Michigan 49047, is the owner of the "CRAZY-CRAWLER" trademark, U.S. Registration No. 373,519 dated December 12, 1939; and

WHEREAS, EBSCO Industries, Inc., a Delaware corporation ("EBSCO"), of Post Office Box 1943, Birmingham, Alabama 35201, is desirous of acquiring the entire interest of HEDDON'S in and to the "CRAZY-CRAWLER" trademark;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, HEDDON'S, by these present does sell, assign and transfer unto the said EBSCO all of its right, title and interest in and to the said trademark described above, together with the goodwill of the business symbolized by said trademarks and registrations thereof, the same to be held and enjoyed by the said EBSCO, for its own use and benefit and that of its successors, assigns and legal representatives, to the full end of the term for which said trademarks are granted, as fully and entirely as the same would have been held had this assignment and sale not been made, together with all claims for damages by reason of past infringement of said trademarks, with the right to sue for and collect the same for its own use and for the use of its successors, assigns or other legal representatives, subject to the rights of any licensees under any existing license agreements to which HEDDON'S is a party or to the obligations under which EBSCO may have succeeded or to which its right in said trademarks is subject and subject further to any obligations to said licensees which HEDDON'S may have; and said HEDDON'S does hereby covenant and agree with the said EBSCO to execute and deliver such other and further instruments and take such other and further actions as may be necessary or appropriate to transfer said trademarks, claims for damages by reason of past infringement and right to sue and collect therefor to EBSCO.


IN WITNESS WHEREOF, the undersigned corporation has caused this instrument to be executed as of this 10th day of August 1999 1999.

JAMES HEDDON'S SONS, INC.

By: 

Its: Vice Pres

ATTEST:

By: 
Its: ASST SECY

STATE OF ARKANSAS)
COUNTY OF Sebastian)

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that William H. Wilson, whose name as Vice President of James Heddon's Sons, Inc., a corporation organized under the laws of the State of Michigan, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the within instrument, he, as such officer and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 10th day of August, 1999.

Billie A. Howard

My commission expires 8-15-00

(NOTARIAL SEAL)