

09-21-1999

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U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office



Commissioner of Patents and Trademarks



Original documents or copy thereof.

101149138

09-13-1999

Applicant(s):

Name and address of receiving party(ies):

U.S. Patent & TMO/TM Mail Rcpt Dt. #30

Name: DeSoto, L.L.C.

DeSoto, INC.

Internal Address: _____

- Individual
- General Partnership
- Corporation-State: Corporation - Delaware
- Other _____
- Association
- Limited Partnership

Street Address: 900 East Washington Street

City: Joliet State: IL ZIP: 60434

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

- Individual(s) citizenship: _____
- Association: _____
- General Partnership: _____
- Limited Partnership: Corporation - Delaware
- Corporation-State: _____
- Other _____

3. Nature of conveyance:

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

Execution Date: August 25, 1999

Additional name(s) & address(es) attached: Yes No
A domestic representative designation is attached: Yes No
(Designations must be a separate document from Assignment)

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

A. Trademark Application No(s) 75/672,555
75/533,659

B. Trademark Registration No(s):

Additional numbers attached? Yes No

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

Name: Jon O. Nelson

Address: **BANNER & WITCOFF, LTD.**
Suite 3000
Ten South Wacker Drive
Chicago, Illinois 60606

6. Total number of applications and registrations involved: 2

7. Total fee (37 CFR §3.41): \$ 65.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit Account No. 01-0850

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

DO NOT USE THIS SPACE

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.

Jon O. Nelson
Name of Person Signing

Jon O. Nelson
Signature

September 9, 1999
Date

09/20/1999 DNGUYEN 00000405 75672555

01 FC:481 40.00 OP
02 FC:482 25.00 OP
Total number of pages including cover sheet, attachments, and document: 5

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

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

9-13-99 MRD 99

NUNC PRO TUNC TRADEMARK ASSIGNMENT

WHEREAS, DeSoto, Inc., a corporation formed under the laws of the State of Delaware, having a place of business at 900 East Washington Street, Joliet, Illinois, 60434 (hereinafter referred to as the "Assignor") is the owner of Trademark Serial No. 75/533,659 for the mark HIGH ENERGY (and all goodwill associated therewith) royalty rights, rights in relief for known or unknown past infringement, all original records or other materials relating to the subject matter of the trademark registration, including all materials in the possession of Assignor's attorneys, agents, contractors or other third parties owned by Assignor (hereinafter collectively referred to as the "Proprietary Rights");

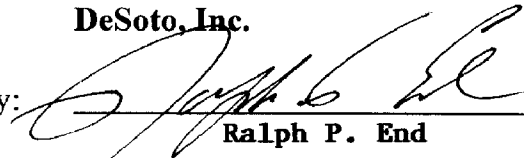
WHEREAS, DeSoto, L.L.C., a corporation formed under the laws of the State of Delaware, having a principal place of business at 900 East Washington Street, Joliet, Illinois, 60434 (hereinafter referred to as "Assignee"), desires to acquire the Proprietary Rights *nunc pro tunc* effective at least as early as February 19, 1999;

NOW, THEREFORE, for good and valuable consideration, the receipt of sufficiency of which is hereby acknowledged, Assignor assigns and transfers to Assignee, its successors, and legal representatives *nunc pro tunc* at least as early as February 19, 1999, the entire right, title and interest in U.S. Trademark Serial No. 75/533,659 and the Proprietary Rights, including all goodwill associated therewith, the same to be held and enjoyed by the Assignee, for its own use and the use of its successors, legal representatives, and assigns forever and to the full end of the term or terms for which the Proprietary Rights are or may be granted, as fully and entirely as the same would have been held and enjoyed by Assignor, had this Assignment not been made;

Signed at Dallas, in the County of Dallas, State of ~~Illinois~~ ^{Texas}, this


25 day of August, 1999.

DeSoto, Inc.

By: 
Ralph P. End
Title: Vice President

STATE OF ~~ILLINOIS~~ ^{Texas})
COUNTY OF Dallas)

On this 25 day of August, 1999, personally before me came Ralph P. End,
Vice President of Assignor, known to me, and known to me to be the person described and
who signed this Assignment, and, being duly sworn, acknowledged that he executed the same.


Notary Public

(SEAL)

