

11-08-1999

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Docket No.:

LFO0204 205 206



101194235

Tab settings

To the Honorable Commissioner of

the attached original documents or copy thereof.

1. Name of conveying party(ies):

Lexington United Corp.

- Individual(s)
- General Partnership
- Corporation-State **Delaware**
- Other
- Association
- Limited Partnership

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

3. Nature of conveyance:

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

Execution Date: **August 25, 1999**

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

Name: **Proton, Inc.**

Internal Address:

Street Address: **1111 North Hadley Road**

City: **Fort Wayne** State: **IN** ZIP: **46804**

- 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

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

1,594,271 623,782 2,118,767

Additional numbers Yes No

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

Name: **John F. Hoffman**

Internal Address: **Suite 800**

Street Address: **111 East Wayne Street**

City: **Fort Wayne** State: **IN** ZIP: **46802**

6. Total number of applications and registrations involved: **3**

7. Total fee (37 CFR 3.41): \$ **90.00**

- Enclosed **Check # 43399**
- Authorized to be charged to deposit account

8. Deposit account number:

Any additional fees - 02-0385

DO NOT USE THIS SPACE

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01 FC:481 40.00 OP
02 FC:482 50.00 OP

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.

John F. Hoffman

Name of Person Signing

Signature

November 1, 1999

Date

Total number of pages including cover sheet, attachments, and **3**

ASSIGNMENT

WHEREAS, Lexington United Corp., a Delaware corporation, formerly known as National Plastics Corporation, ("National Plastics Corporation") having its principal place of business at 92 Main Street, Florence, Massachusetts (01062) has adopted, used, is using, and is the owner of the trademarks identified on the attached Exhibit A, which are registered in the United States Patent and Trademark Office (hereinafter, the "Marks");

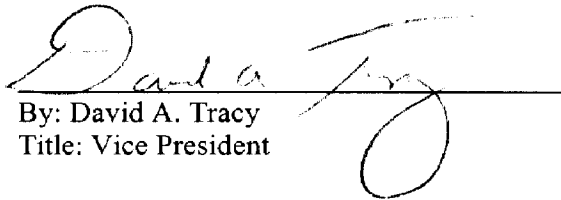
WHEREAS, Proton, Inc., a Delaware corporation, formerly known as Lincoln Proton, Inc. having its principal place of business at 1111 North Hadley Road, Fort Wayne, Indiana (46804) is desirous of acquiring the said Marks.

NOW, THEREFORE, for One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, National Plastics Corporation, does hereby sell, assign, transfer and set over unto Proton, Inc. the entire right, title and interest in and to said Marks, the goodwill of the business associated with the said Marks, all common law rights associated with the said Marks, and the U.S. Registrations associated therewith.

This Assignment shall be effective, *nunc pro tunc*, as of September 2, 1997.

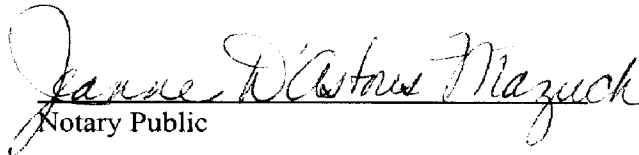
Executed this 25th day of August, 1999.

Lexington United Corp.,
formerly known as National Plastics Corporation


By: David A. Tracy
Title: Vice President

STATE OF MASSACHUSETTS
COUNTY OF HAMPSHIRE) ss:

On this 25th day of August, 1999, personally appeared David A. Tracy, known to me to be Vice President of Lexington United Corp., formerly known as National Plastics Corporation, the Assignor above named, and acknowledged that he/she executed the foregoing Assignment on behalf of said Assignor and pursuant to authority duly received.


Notary Public

Resident of Hampshire County
My Commission Expires: February 10, 2006

Exhibit A

UNITED STATES TRADEMARK REGISTRATION

<u>Mark</u>	<u>U.S. Registration No.</u>	<u>Goods</u>
CADENCE (Stylized)	623,782	Plastic dinner ware, in International Class 21.
LE BEAU	1,594,271	Plastic dishware for use by restaurants, hotels, and other food service industries, in International Class 21.
PROLON	2,118,767	Plastic dinnerware, namely, plates, saucers, soup dishes, platters, mugs, bowls, tumblers; trays not of precious metal, namely, bar trays, compartment trays, tip trays, serving trays; food storage containers, pitchers, beverage dispensers, utility pails, ice and ingredient scoops, salad bar crocks, soufflé cups, ramekins, sugar caddies, plate covers, serving spoons, and cutting boards, in International Class 21.

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