

02-24-2000



TRADEMARK
Docket No. 3821-4000

101273526

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK RECORDATION COVER SHEET

1-28-00

HON. COMMISSIONER OF PATENTS AND TRADEMARKS
BOX ASSIGNMENTS
Washington, D.C. 20231

RECEIVED
2000 JAN 28 AM 11:49
OPR/FINANCE

Sir:

Please record the attached original documents or copies thereof.

1. Submission Type:

- New
- Resubmission (Non-Recordation) - Document ID# _____
- Correction of PTO Error: Reel # _____ Frame # _____
- Corrective Document: Reel # _____ Frame # _____

2. Name Of Conveying Party(ies):

Name: Kindred Industries Limited

Formerly _____

Execution Date (Month/Day/Year) November 15, 1999

- | | |
|--|--|
| <input type="checkbox"/> Individual(s) | <input type="checkbox"/> Association |
| <input type="checkbox"/> General Partnership | <input type="checkbox"/> Limited Partnership |
| <input type="checkbox"/> Corporation | Other <u>Company</u> |

Citizenship/State of Incorporation Canada

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

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

Name: Niro-Plan AG

DBA/AKA/TA: _____

Address: c/o Treuhand-und Revisionsgesellschaft

City Baaerstrasse 112 Zug Country Switzerland ZIP 6302

- Individual(s) _____
- Association _____
- General Partnership _____
- Limited Partnership _____
- Corporation- _____
- Other _____

Citizenship/State of Incorporation _____

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TRADEMARK
REEL: 002025 FRAME: 0391

If assignee is not domiciled in the U.S., a domestic representative designation is attached: Yes No
(Designation must be a separate document from Assignment).

Additional name(s) & address(es) attached? Yes No

4. Conveyance Type:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Assignment | <input type="checkbox"/> Merger |
| <input type="checkbox"/> Security Agreement | <input type="checkbox"/> Change of Name |
| <input type="checkbox"/> License | <input type="checkbox"/> Nunc Pro Tunc Assignment |
| <input type="checkbox"/> Other | |

Effective Date: _____ (if nunc pro tunc assignment)

5. Application Number(s) and marks or Registration Number(s) and marks:

Trademark Application No.(s) 75/656,714 (Mark: ARISTALINE) _____

Trademark registration No.(s) _____ (Mark: _____); _____

Additional numbers attached? Yes No

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

Name: Cindy M. Zelson, Esq. c/o Morgan & Finnegan L.L.P.

Internal Address: _____

Street Address: 345 Park Avenue

City New York State New York ZIP 10154

Area Code and Telephone Number (212) 415-8747

7. Total number of applications and registrations involved: 1

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

- Enclosed
 Authorized to be charged to deposit account

9. Deposit Account Number: 13-4500. Authorization to charge additional fees to deposit account: Yes No

10. Statement and Signature

Charges to deposit account are authorized, as indicated herein

Cindy M. Zelson Cindy M. Zelson 1/28/00
Name of Person Signing Signature Date

Total amount of pages in cover sheet: 3

FORM: REC-TM.NY
Rev. 10/04/94

TRADEMARK
S/N 75/656,714
3821-4000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK EXAMINING OPERATION

Applicant : NIRO-Plan AG
Mark : ARISTALINE
Serial No. : 75/656,714
Filing Date : March 9, 1999
Examining Attorney : Shanetta J. Paskel
Law Office 104

To The Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

DESIGNATION OF DOMESTIC REPRESENTATIVE

MORGAN & FINNEGAN, L.L.P., whose address is 345 Park Avenue, New York, New York 10154, is hereby designated registrant's representative upon whom notice or process in proceedings affecting the marks or the registrations may be served.

NIRO-PLAN AG

Dated: 12/17/99 By: *H. Vogel*
Name: DR. HANS VOGEL
Title: PRESIDENT

506150_1

TRADEMARK
REEL: 002025 FRAME: 0394

ASSIGNMENT

WHEREAS, KINDRED INDUSTRIES LIMITED, the full post office address of whose principal office or place of business is P.O. BOX 190, MIDLAND, ONTARIO, CANADA L4R 4K9, is the owner of the trade marks, applications and registrations set out in the attached Schedule "A" (hereinafter referred to collectively as the "Trade Marks").

AND WHEREAS, NIRO-PLAN AG, the full post office address of whose principal office or place of business is c/o Treuhand-und Revisionsgesellschaft, Baaerstrasse 112 Zug, Switzerland 6302, has acquired from KINDRED INDUSTRIES LIMITED, the whole right, title, interest and goodwill in and to the Trade Marks;

NOW THEREFORE, in consideration of the sum of ten Dollars (\$10.00) and other good and valuable consideration the receipt and adequacy of which are hereby acknowledged, KINDRED INDUSTRIES LIMITED confirms that it has sold, assigned and transferred, and by these presents does sell, assign and transfer unto NIRO-PLAN AG, its successors and assigns, the whole right, title and interest in and to the Trade Marks set out in the attached Schedule "A", together with the goodwill of any and all business carried on in association with and symbolized by the Trade Marks, the same to be held by NIRO-PLAN AG, as fully and effectually as they would have been held by KINDRED INDUSTRIES LIMITED had this assignment and sale had not been made.

EXECUTED at MIDLAND this 15th day of November, 1999.

KINDRED INDUSTRIES LIMITED

Per:

Name: C.J. de Jong

Title: President

On this 15th day of Nov., 1999, before me appeared C.J. de Jong, who signed the foregoing instrument, who acknowledged that she/he signed it as a free act on behalf of KINDRED INDUSTRIES LIMITED.

Sherry Moreau

SCHEDULE "A"

CANADA

Trade Mark

Application No.

ARISTA

898,465

ARISTALINE

898,466

UNITED STATES

ARISTALINE

75/656,714