



02-17-2000

03-14-2000

D

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #11



ket No.: 2268-00202

NUM  
3/10/00

Form PTO-1594  
1-31-92

101289725

U.S. Department of Commerce  
Patent and Trademark Office

RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

To the Honorable Commissioner of Patents and Trademarks.  
Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
Shepherd Products U.S., Inc.

Individual(s)       Association  
 General Partnership    Ltd. Partnership  
 Corporation – State Delaware  
 Other \_\_\_\_\_  
 Additional name(s) of conveying party(ies)  
 attached?  Yes    No

2. Name and address of receiving party(ies):  
Miotto International Company  
1330 Bellevue Street  
Green Bay, Wisconsin 54302

Individual(s) citizenship \_\_\_\_\_  
 Association \_\_\_\_\_  
 General Partnership \_\_\_\_\_  
 Limited Partnership \_\_\_\_\_  
 Corporation – State Wisconsin  
 Other \_\_\_\_\_

If assignee is not domiciled in the United States, a  
 domestic representative designation is attached:  
 Yes    No  
 (Designation must be a separate document from  
 Assignment)  
 Additional name(s) and address(es) attached?  
 Yes    No

3. Nature of conveyance:

Assignment       Merger  
 Security Agreement    Change of Name  
 Other \_\_\_\_\_

Execution Date: October 27, 1994

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

A. Trademark Application No(s).

B. Trademark Registration No(s).  
 1,600,908      1,812,944  
 1,842,388      1,836,192

Additional numbers attached?  Yes    No

5. Name and address of party to whom  
 correspondence concerning document should be  
 mailed:  
 Andrew S. McConnell  
 ANDRUS, SCEALES, STARKE & SAWALL, LLP  
 100 East Wisconsin Avenue, Suite 1100  
 Milwaukee, WI 53202

6. Total number of applications and registrations  
 involved: 4

7. Total fee (37 CFR 3.41).....\$160.00  
 Enclosed  
 Authorized to charge to deposit account

8. Deposit account number: 01.2000  
 (Attach duplicate copy of this page if paying  
 by deposit account)

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.

Dawn M. Oleszak      Dawn M. Oleszak      2-10-00  
 Name of person signing      Signature      Date

Total number of pages including cover sheet, attachments and document: 4

OMB No. 0651-0011 (exp. 4/94)

RECEIVED  
MPTO  
03/10/00

ASSIGNMENT OF TRADEMARK REGISTRATIONS AND APPLICATIONS

This Assignment is made by Shepherd Products U.S., Inc. of St. Joseph, Michigan, U.S.A., to Miotto International Company, a corporation organized under the laws of the State of Wisconsin, U.S.A.

Shepherd Products U.S., Inc. is the owner of the following trademark registrations and applications:

<u>Mark</u>	<u>Country</u>	<u>Registration/ Application No.</u>	<u>Registration/ Filing Date</u>
ERGO-AIRE	U.S.A.	Reg. No. 1,600,908	6/12/90
ERGO-AIRE	Canada	Reg. No. TMA396,284	3/27/92
DUPLEX	U.S.A.	Reg. No. 1,842,388	6/28/94
DUPLEX	Canada	Appln. No. 689,351	9/10/91
DUPLEX	Mexico	Reg. No. 430,110	1/26/93
ROTAFLEX	U.S.A.	Reg. No. 1,812,944	12/21/93
ROTAFLEX	Mexico	Appln. No. 130,608	1/9/92
OXILLA	U.S.A.	Reg. No. 1,836,192	5/10/94
OXILLA	Canada	Reg. No. TMA424,543	3/4/94
OXILLA	Mexico	Reg. No. 427,798	12/16/92

TRADEMARK

REEL 1269 FRAME 118

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Shepherd Products U.S., Inc. hereby sells, transfers and assigns to Miotto International Company all right, title and interest in and to the listed trademarks together with the goodwill of the business symbolized by the trademarks and the registrations thereof.

Shepherd Products U.S., Inc. further assigns to Miotto International Company any rights held by Shepherd Products U.S., Inc. in any country in any of the listed trademarks, along with the goodwill associated therewith.

Executed and delivered this 27 OCT. 1994 day of \_\_\_\_\_, 1994.

SHEPHERD PRODUCTS  
U.S., INC.

*Byron Edward Hill*

Name: Byron Edward Hill  
Title: Director

TRADEMARK

REEL 1269 FRAME 119

State of Republic of Italy  
Province of Milan  
City of Milan )  
Consulate General of the )  
County of United States of America ) : SS

Personally appeared before me this 27 OCT. 1994 day of \_\_\_\_\_, 19\_\_\_\_, Byron Edward Hill, to me known to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act and deed for the uses and purposes therein set forth.

(SEAL)

*Alma J. Engel*  
Notary Public Alma J. Engel  
Consul of the  
United States of America  
My Commission expires INDEFINITE

RECORDED  
PATENT & TRADEMARK OFFICE  
DEC 15 94

TRADEMARK  
REEL: 002034 FRAME: 0655

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as FIRST CLASS MAIL in an envelope addressed to: Assistant Commissioner of Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on February 14, 2000.

Barbara A. Johnson

---

*Barbara A. Johnson*

---

Signature

02/14/00

Date

**ANDRUS, SCEALES, STARKE & SAWALL, LLP**

A WISCONSIN LIMITED LIABILITY PARTNERSHIP

INTELLECTUAL PROPERTY LAW

SUITE 1100  
100 EAST WISCONSIN AVENUE  
MILWAUKEE, WISCONSIN 53202-4178

Telephone: (414) 271-7590  
Fax: (414) 271-5770

02-17-2000

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #11

D  
Elwin A. Andrus  
(1904-1982)  
Merl E. Sceales  
(1911-1987)

Reg. Patent Agent  
William L. Falk

Direct e-mail address  
andym@andruslaw.com

Glenn O. Starke  
Eugene R. Sawall  
Daniel D. Fetterley  
George H. Solveson  
Gary A. Essmann  
Thomas M. Wozny  
Michael E. Taken  
Joseph J. Jochman, Jr.  
Andrew S. McConnell  
Edward R. Williams, .  
Joseph D. Kuborn  
Denise L. Stoker  
Mathew E. Corr  
Cobby J. Shereff

February 11, 2000

Asst. Commissioner of Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

Attn: Frances A. Pfohl  
Affidavit/Renewal Examiner  
Post Registration Division  
Office of Trademark Services

Re: U.S. Trademark Reg. No. 1,812,944  
Mark: **ROTAFLEX**  
Our File: 2268-00804

Dear Sir:

This is in response to the withholding of acceptance dated August 12, 1999. An assignment showing ownership of the registration being transferred from Shepherd Products U.S., Inc. to the present claimant Miotto International Company incorrectly set forth the state of corporation for the conveying party on the cover sheet. The correct state of corporation for Shepherd Products U.S., Inc. is Delaware and not Michigan. An assignment with a corrected cover sheet was submitted to the U.S. Patent and Trademark Office on February 11, 2000 and a copy as filed is attached hereto.

In view of this submission, it is believed the affidavit under Sections 8 and 15 is in order for acceptance.

Very truly yours,

ANDRUS, SCEALES, STARKE & SAWALL, LLP

  
Andrew S. McConnell

ASM:baj  
Enclosure  
CERTIFICATE OF MAILING ATTACHED

Patents. Trademarks. Copyrights. Litigation. Licensing

RECORDED: 02/10/2000

TRADEMARK  
REEL: 002034 FRAME: 0657