

04-03-2000

FORM PTO-1594  
(Rev. 8-93)

RECORD  
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101304003

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

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

Tab settings □ □ □ ▼

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

1. Name of conveying party(ies): 3-23-00  
Season-all Industries, Inc.

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

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

3. Nature of conveyance:

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

Execution Date: \_\_\_\_\_

2. Name and address of receiving party(ies)  
Name: Caradon Thermal-Gard, a Division of Caradon America Inc.  
Internal Address: \_\_\_\_\_

Street Address: 400 Walnut Street  
City: Punxsutawney State: PA ZIP: 15767-1368

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State Virginia
- Other

If assignee is not domiciled in the United States, a domestic representative designation is attached:  Yes  No

(Designations must be a separate document from assignment)

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

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

1,814,572      1,731,999  
1,017,860      1,737,481  
1,260,946

Additional numbers attached?  Yes  No

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

Name: Steven D. Irwin, Esq.

Internal Address: Markel, Schafer & Means, P.C.

Street Address: 1120 Grant Building

City: Pittsburgh State: PA ZIP: 15219

6. Total number of applications and registrations involved:

7. Total fee (37 CFR 3.41) ..... \$ 120.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number: \_\_\_\_\_

(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.

Steven D. Irwin  
Name of Person Signing

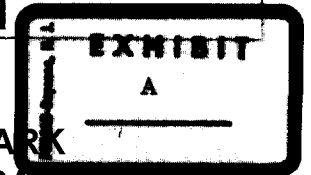
Signature

4/22/94

Date

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

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231



TRADEMARK

REEL: 002042 FRAME: 0469

U.S. PATENT AND TRADEMARK OFFICE  
OFFICE OF PUBLIC RECORDS

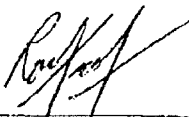
ASSIGNMENT BRANCH

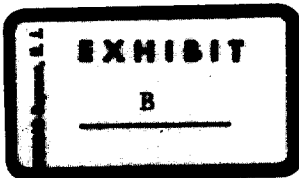
WHEREAS, SEASON-ALL INDUSTRIES, INC., of 1480 Wayne Avenue, Indiana, Pennsylvania, 15701-0370, has adopted, used and is using a trademark which is registered at No. 1,814,572, dated December 28, 1993; and

WHEREAS, CARADON THERMAL-GARD, A DIVISION OF CARADON AMERICA INC., of 400 Walnut Street, Punxsutawney, Pennsylvania 15767-1368, is desirous of acquiring said registered trademark.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, said SEASON-ALL INDUSTRIES, INC. does hereby assign to the said CARADON THERMAL-GARD, A DIVISION OF CARADON AMERICA INC., all right, title, and interest in the trademark "America's #1 Insulated Replacement Window" and the goodwill of the business symbolized thereby.

SEASON-ALL INDUSTRIES, INC.

By   
\_\_\_\_\_  
Roy Anderson, President





03-23-2000

U.S. Patent & TMOfc/TM Mail RcptDt. #22

**MARKEL, SCHAFFER & GOLDMAN P.C.**

ATTORNEYS AT LAW

1120 GRANT BUILDING

PITTSBURGH, PENNSYLVANIA 15219

TELEPHONE  
(412) 281-0488

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(412) 281-3226

March 22, 2000

**VIA FEDERAL EXPRESS**

Attention: Ms. Anne Harrell  
Assignment Branch  
U.S. Department of Commerce  
Patent and Trademark Office  
Office of Assistant Commissioner  
for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

In re: Registration No. 1,814,572 for the mark AMERICA'S #1 INSULATED  
REPLACEMENT WINDOW

Dear Ms. Harrell:

Enclosed is an Affidavit of Louis Loop, which contains information proving that ownership of the registration of the mark is in Thermal-Gard, Inc., rather than Season-All Industries, Inc., a copy of the Trademark Recordation Cover Sheet, and a copy of the assignment. Please have the assignment recorded in your office, so that Thermal-Gard, Inc. may be reflected as the owner of the mark AMERICA'S #1 INSULATED REPLACEMENT WINDOW.

Thank you for your attention to this matter. If you have any questions, please feel free to contact me.

Sincerely,

David B. Spear

DBS/kew  
Enclosure

cc: Steven D. Irwin, Esq. (w/encl.)  
Louis Loop (w/encl.)



PRU

03-23-2000

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

In re: Registration No. 1,814,572 for the mark  
AMERICA'S #1 INSULATED REPLACEMENT WINDOW

\* \* \* \* \*

**AFFIDAVIT OF LOUIS LOOP**

AND NOW, before me appeared Louis Loop, who, being duly sworn, deposes and says:

- 1. My name is Louis Loop.
- 2. I am the Acting President of Thermal-Gard, Inc.
- 3. Thermal-Gard, Inc., has its principal place of business at 400 Walnut Street, Punxsutawney, Pennsylvania 15767-1368.

4. Season-All Industries, Inc., adopted and used the "America's #1 Insulated Replacement Window" trademark, which is registered at No. 1,814,572, dated December 28, 1993 (the "Trademark").

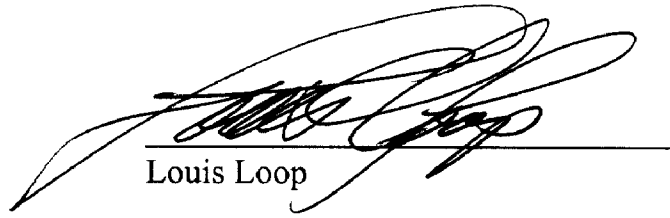
5. Season-All Industries, Inc., assigned the Trademark to Caradon Thermal-Gard, a division of Caradon America Inc., on or about April 22, 1994. A copy of the Trademark Recordation Cover Sheet is attached hereto at Exhibit "A" and a copy of the assignment is attached hereto at Exhibit "B".

6. Caradon Thermal-Gard, a division of Caradon America Inc., became Caradon Thermal-Gard, Inc.

7. Nortek, Inc., purchased all of the issued and outstanding shares of capital stock and all of the operating assets of Caradon Thermal-Gard, Inc., pursuant to a purchase agreement (the "Purchase Agreement") dated April 6, 1999.

8. Pursuant to the terms of the Purchase Agreement, Caradon Thermal-Gard, Inc.,

became Thermal-Gard, Inc.



Louis Loop

SWORN TO AND SUBSCRIBED

before me this 20<sup>th</sup> day of

March, 2000.



Notary Public

Notarial Seal  
Shirlee M. Shiner, Notary Public  
Punxsutawney Boro, Jefferson County  
My Commission Expires May 6, 2000  
Member, Pennsylvania Association of Notaries