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Submission Type

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

Conveyance Type

- Assignment
- License
- Security Agreement
- Nunc Pro Tunc Assignment
- Merger
- Effective Date  
Month Day Year
- Change of Name
- Other

Conveying Party

Mark if additional names of conveying parties attached

Name

Execution Date  
Month Day Year

Formerly

- Individual
- General Partnership
- Limited Partnership
- Corporation
- Association
- Other

Citizenship/State of Incorporation/Organization

Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

City

State/County

Zip Code

- Individual
- General Partnership
- Limited Partnership
- Corporation
- Association
- Other - Limited Liability Company
- Citizenship/State of Incorporation/Organization

If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached (Designation must be a separate document from Assignment.)

04/28/2000 JJALLAH2 00000021 2053893

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REEL: 002062 FRAME: 0489

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name Philip A. Jones

Address (line 1) Brinks Hofer Gilson & Lione

Address (line 2) P.O. Box 10395

Address (line 3) Chicago, IL 60610

Address (line 4)

**Correspondent Name and Address**

Area Code and Telephone Number 312-321-7727

Name Philip A. Jones

Address (line 1) Brinks Hofer Gilson & Lione

Address (line 2) P.O. Box 10395

Address (line 3) Chicago, IL 60610

Address (line 4)

**Pages** Enter the total number of pages of the attached conveyance document including any attachments.

7

**Trademark Application Number(s) or Registration Number(s)**

Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

**Trademark Application Number(s)**

**Registration Number(s)**

75-458201

2053893

1266180

1155225

**Number of Properties**

Enter the total number of properties involved.

#4

**Fee Amount** Fee Amount for Properties Listed (37 CFR 3.41):

\$115.00

Method of Payment: Enclosed  Deposit Account

**Deposit Account**

(enter for payment by deposit account or if additional fees can be charged to the account.)

**Deposit Account Number:**

#23-1925

**Authorization to charge additional fees:**

Yes  No

**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. Charges to deposition account are authorized, as indicated herein.

Nicholas G. de la Torre

Nick de la Torre

4/03/00

Name of Person Signing

Signature

Date Signed

**DESIGNATION OF  
DOMESTIC REPRESENTATIVE**

**TRADEMARKS:**    **LIPPRITE**    Serial No.    **75-458201**  
                  **NOTIFLEX**    Reg. No.      **2053893**  
                  **ROTIFIX**    Reg. No.      **1266180**  
                  **LIPPROX**    Reg. No.      **1155225**

**REGISTRANT:**    **LIPPERT-UNIPOL GmbH**

Brinks Hofer Gilson & Lione, whose postal address is P.O. Box 10395, Chicago, IL 60610, is hereby designated applicant's representative upon whom notice or process in proceedings affecting the above identified marks may be served.

Date: 02.02.2000

LIPPERT-UNIPOL GmbH

By: Horst Bornmann

Name: 

Title: Managing Director

Handelsregister-Abt. B-des Amtsgerichts Heidelberg

Blatt 1  
 (mit Fortsetzung Blatt

HRB 1215

1 Name der Gesellschaft oder Bezeichnung des Unternehmens	2 Grundkapital oder Stammkapital DM	3 Vorstand oder Gesellschafter Geschäftsführer Abwickler	4 Prokura	5 Redlverhältnisse	6 Tag der Eintragung und Unterschrift b) Bemerkungen
<p>a) Firma b) Sitz c) Gegenstand des Unternehmens</p> <p>3) <b>Heinrich Lübert</b> Gesellschaft mit beschränkter Haftung</p> <p>b) <b>Epfenbach</b></p> <p>c) Die Herstellung, der Vertrieb und der Handel von Schleif- und Polierwerkzeugen Schleif- und Poliermaschinen und -gegenständen einschließlich Polier- bzw. Schleifmittelzusätzen wie Pasten, Fette, Emulsionen und dergleichen welche der Oberflächenbehandlung bzw. Bearbeitung von Metallen, Holz, Glas und Kunststoffen dienen.</p> <p>Die Gesellschaft ist außerdem berechtigt, andere Unternehmen zu errichten oder zu erwerben, Zweigniederlassungen zu gründen und alles zu tun, was der Förderung des Gesellschaftszwecks dienstlich ist.</p> <p>Die Gesellschaft ist berechtigt, auch andere Erzeugnisse herzustellen, zu be- und verarbeiten, zu erwerben und zu vertrieben.</p>	<p>10.000.000,-</p>	<p>Horst Bormann, Kaufmann, Göppingen</p> <p>Hens Degen, Diplom-Kaufmann, Frankenthal</p>	<p>Prokura</p>	<p>Gesellschaft mit beschränkter Haftung. Gesellschaftsvertrag vom 22. November 1965.</p> <p>Durch Beschluß der Gesellschafterversammlung vom 24. August 1966 ist das Stammkapital um 280.000,- DM auf 300.000,- DM erhöht.</p> <p>Durch Beschluß der Gesellschafterversammlung vom 13. Dezember 1971 ist das Stammkapital um 5.700.000,- DM auf 6.000.000,- DM erhöht.</p> <p>Horst Bormann, Kaufmann in Göppingen ist zum Geschäftsführer bestellt.</p> <p>Durch Beschluß der Gesellschafterversammlung vom 31. Januar 1992 ist das Stammkapital um 2.500.000,- DM auf 8.500.000,- DM erhöht und der Gesellschaftsvertrag neu gefaßt.</p> <p>Die Gesellschaft wird, wenn nur ein Geschäftsführer vorhanden ist, durch diesen allein, wenn mehrere Geschäftsführer bestellt sind, durch je zwei Geschäftsführer gemeinsam oder durch einen Geschäftsführer in Gemeinschaft mit einem Prokuristen vertreten.</p> <p>Es kann Alleinvertretungsbefugnis erteilt werden.</p> <p>Durch Beschluß der Gesellschafterversammlung vom 11. November 1992 ist das Stammkapital um 1.500.000,- DM auf 10.000.000,- DM erhöht und der Gesellschaftsvertrag in § 4 (Stammkapital und Stammeinlagen) entsprechend geändert.</p> <p>Hans Degen, Diplom-Kaufmann in Frankenthal ist zum Geschäftsführer bestellt.</p> <p>Durch Beschluß der Gesellschafterversammlung vom 28. Juni 1994 und durch Beschluß der Gesellschafterversammlung der PSM POLIER- UND SCHLEIFMITTEL GmbH in Mannheim vom 28. Juni 1994 ist die letztgenannte Gesellschaft auf Grund des Verschmelzungsvertrages vom 28. Juni 1994 durch Übertragung ihres Vermögens als Ganzes auf die Heinrich Lübert GmbH mit dieser nach § 19 Abs. 1 Ziffer 1 KapIrnG verschmolzen.</p> <p>Durch Beschluß der Gesellschafterversammlung vom 22. Februar 1995 wurde der Sitz der Gesellschaft von Pforzheim nach Epfenbach verlegt und der Gesellschaftsvertrag in § 1 (Firma und Sitz) geändert.</p>	<p>e) 12. Mai 1995</p> <p>b) Eintr. VfG. HB AS. 31 Gesellschafts= vertrag SB AS. 13 ff.</p> <p>Bisher HRB 158 AG Pforzheim Ersteintragung am 2. Dezember 1965</p>

1 Firma Name Sitz Registergericht	2 Grundkapital oder Stammkapital	3 EDWG	4 Vorstand Persönlich haftende Gesellschafter Geschäftsführer Abwickler	5 Prokura	6 Darlehensverhältnisse	7 a) Tag der Eintragung und Unterschrift b) Bemerkungen
a) Lippert-Unipol GmbH	7.720.600,--	Markus Heck, geb. 24. April 1965, Ketsch Horst Karlmeier geb. 02. März 1938, Steinhagen	Gesamtprokura: Angelika Silver, geb. 31. Oktober 1942, Pforzheim Die Prokura für Markus Heck ist erloschen.	Mit der Gesellschaft (übernehmende Rechtsträgerin) ist aufgrund des Verschmelzungsvertrages vom 18. August 1999 und den zustimmenden Beschlüssen der Gesellschafterversammlungen vom selben Tage die UNIPOL GmbH (übertragende Rechtsträgerin) mit Sitz in Haan durch Übertragung ihres Vermögens als Ganzes unter Auflösung ohne Abwicklung gemäß § 2 Ziffer 1 UmwG verschmolzen (Verschmelzung durch Aufnahme).	Durch Beschluß der Gesellschafterversammlung vom 18. August 1999 wurde das Stammkapital der Gesellschaft auf 7.720.507,41 EUR umgestellt und durch Bereinigung um 92,59 EUR auf 7.720.600,-- EUR erhöht; entsprechend geändert wurde § 4 Absatz 1 der Satzung. Die Firma der Gesellschaft und damit § 1 des Geschäftsvertrages sind ebenfalls geändert. Zu weiteren Geschäftsführern wurden bestellt: Markus Heck, geb. 24. April 1965, Ketsch; Horst Karlmeier, geb. 02. März 1938, Steinhagen.	a) 26. Oktober 1999 <i>Markus Heck</i> b) Verschmelzungsvertrag SB AS 243, Verschmelzungsbeschlüsse SB AS 255 ff., AG Mettmann HRB 1207

Amtsgericht Heidelberg  
- Registergericht -

Beglaubigte Ablichtung

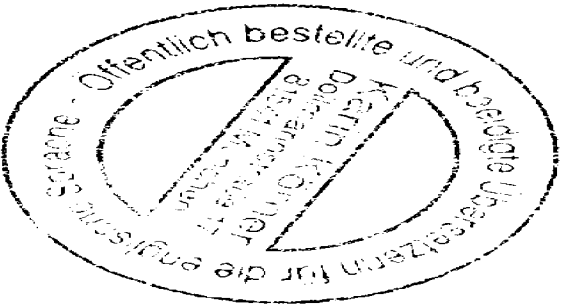
Die unterstrichenen Teile  
der Eintragungen gelten  
als gelöscht.

Vorstehende Fotokopie  
stimmt mit dem Register-  
blatt überein und wird  
hiermit beglaubigt.  
Heidelberg, 10 NOV 99



I, Karin Körner of Dollmannstrasse 17, D-81541 München, hereby certify that I am a sworn translator and that I am fully conversant with both the English and the German languages and that the attached document is a true and complete translation, and that nothing has been added to or omitted therefrom.

Munich, January 31, 2000



No. Of Regis- Tration	a) Company b) Seat c) Object of the Company	Share Capital or Nominal Capital DM	Board of Directors Personally Liab Partners Managing Directors Liquidators	"Prokura" (full power of attorney)	Legal Relations	a) Day of Registration and Signature b) Remarks
1	2	3	4	5	6	7
1.	<p>a) Heinrich Lippert Gesellschaft mit beschränkter Haftung (limited liability company)</p> <p>b) Effenbach</p> <p>c) The manufacture, distribution and trade with abrasive and polishing tools, abrasive and polishing devices and objects including polishing and abrasive additives as pastes, fats, emulsions and the like which serve for the treatment of surfaces and the working of metals, wood, glass and plastic materials, respectively.</p> <p>Furthermore, the company is authorized to establish or acquire other companies, to establish branches and to undertake everything that is advantageous for promoting the objects of the company.</p> <p>The company is also authorized to manufacture, work, process, acquire and distribute other products.</p>	10,000,000.--	<p>Horst Bormann, businessman, Goppingen</p> <p>Hans Degen, holder of a diploma in business studies, Frankenthal</p>		<p>Limited liability company, Shareholder's agreement from November 22, 1965.</p> <p>By decision of the meeting of shareholders from August 24, 1966 the share capital is increased by DM 280,000.-- to DM 300,000.--</p> <p>By decision of the meeting of shareholders from December 13, 1971 the share capital is increased by DM 5,700,000.-- to DM 6,000,000.--</p> <p>Horst Bormann, businessman in Goppingen is appointed as managing director</p> <p>By decision of the meeting of shareholders from January 31, 1992 the share capital is increased by DM 2,500,000.-- to DM 8,500,000.-- and the shareholder's agreement is revised.</p> <p>If only one managing director exists, the company is solely represented by her/him, if several managing directors are appointed, the company is jointly represented by two managing directors or by a managing director in community with a holder of "prokura".</p> <p>Sole power of representation can be given</p> <p>By decision of the meeting of shareholders from November 11, 1992 the share capital is increased by DM 1,500,000.-- to DM 10,000,000.-- and the shareholder's agreement is amended accordingly in section 4 (Share capital and initial contributions).</p> <p>Hans Degen, holder of a diploma in business studies, Frankenthal is appointed as managing director</p> <p>By decision of the meeting of shareholders from June 28, 1994 and by decision of the meeting of shareholders of the PSM POLIER- UND SCHLEIFMITTEL GMBH (limited liability company) in Mannheim from June 28, 1994 the last-mentioned company is merged with the Heinrich Lippert GmbH (limited liability company) on the basis of the merger agreement from</p>	<p>a) May 12, 1995 (signature)</p> <p>b) Registrar HB p. 31</p> <p>Shareholder's agreement</p> <p>S.D. Vol. P. 13 seqq.</p> <p>Previous HRB 158 Local Court Pforzheim</p> <p>First registration on December 2, 1965</p>

				June 28, 1994 by transfer of the partnership assets as a whole to this company according to sect. 19, subsect. 1, subparagraph 1 KapErtfG (Law Regulating Capital Increase of Companies)	
2.		Michael Zeeb, holder of a diploma in business studies, Mannheim		By decision of the meeting of shareholders from February 22, 1995 the seat of the company has moved from Pforzheim to Epfenbach and the shareholder's agreement has been amended in sect. 1 (firm and seat).	a) April 12, 1996 (signature)
3	15,000,000.--			Hans Degen was dismissed as managing director. Appointed as managing director: Michael Zeeb, holder of a diploma in business studies, Mannheim.	a) December 13, 1996 (signature)
4.	15,100,000.--			By decision of the meeting of shareholders from October 11, 1996 the share capital of the company is increased by DM 5,000,000.-- to DM 15,000,000.-- and sect. 4 of the shareholder's agreement is amended accordingly.	a) December 12, 1996 (signature)
5.			Collective "prokura": Markus Heck, Brühl	By decision of the meeting of shareholders from November 18, 1996 the share capital of the company is increased by DM 100,000.-- to DM 15,100,000.-- and sect. 4 of the shareholders agreement is amended accordingly.	a) May 22, 1997 (signature)
6.	Euro 7,720,600.--	Markus Heck born on April 24, 1965, Ketsch Horst Karlmeier, born on March 02, 1938, Steinbagen	Collective "prokura": Angelika Silver, born on October 31, 1942, Pforzheim	Michael Zeeb is dismissed as managing director.	b) Shareh. agreem. Sp. Vol. p. 209 seqq
				On the basis of the merger agreement from August 18, 1999 and the assenting decisions of the meetings of shareholders on the same day, the UNIPOL GmbH (transferring legal entity) with seat in Haan is merged with the company (taking over legal entity) by transfer of its assets as a whole under dissolution without liquidation according to sect. 2, subsect. 1 (merger by incorporation) UmwG (Law Regulating Transformation of	a) October 26, 1999 (signature) b) Merger agreement: Sp. Vol. p. 243 Merger resolutions: Sp. vol. p. 255 seqq.



			<p>"Prokura" conferred on Markus Heck is cancelled.</p>	<p>Companies) By decision of the meeting of shareholders from August 18, 1999 the share capital of the company has been changed to EUR 7,720,507.41 and by a contribution in cash increased by EUR 92.59 to EUR 7,720,600.-; according to this sect. 4 subsect. 1 of the statutes has been amended. The firm of the company and by that sect. 1 of the shareholder's agreement are changed as well. As further managing directors have been appointed: Markus Heck, born on April 24, 1965, Keitsch; Horst Karlmeier, born on March 02, 1938, Steinhagen</p>	<p>Local Methheim HRB 1207 Court</p>
<p>Local Court Heidelberg - Registration Court -</p>		<p>Certified copy</p>	<p>The underlined parts of the registration apply as cancelled.</p>	<p>The above photocopy corresponds to the registrations in the Commercial Register and is certified herewith. Heidelberg Nov. 10, 1999 (Signature) Judicial clerk</p>	<p>Local Court Heidelberg (round seal)</p>

\*Translator's note: Full power of attorney in accordance with German Law Section 48 seqq. HGB (Commercial Code)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner For Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513.

on: April 3, 2000  
(Date of Deposit)

Nicholas G. de la Torre  
Name of applicant, assignee, or  
Registered Representative

Nicholas G. de la Torre  
Signature  
4/3/00  
Date of Signature

**Nicholas G. de la Torre**  
312-321-7731  
E-Mail: [ndelator@brinkshofer.com](mailto:ndelator@brinkshofer.com)

April 3, 2000

Commissioner of Patents and Trademarks  
Box Assignment - FEE  
Washington, D.C. 20231

Re: **Recordation of Merger of Heinrich Lippert GmbH  
with and into LIPPERT-UNIPOL GmbH**

Dear Sir/Madam:

Enclosed for filing is:

1. Recordation Form Cover Sheet;
2. Designation of Domestic Representative;
3. Trade Register Extract and English translation of the Trade Register Extract;
4. Filing fee check in the amount of \$115.00; and
5. Post Card Receipt.

**BRINKS  
HOFER  
GILSON  
& LIONE**

A PROFESSIONAL CORPORATION  
INTELLECTUAL PROPERTY ATTORNEYS

NBC TOWER - SUITE 3600  
455 N. CITYFRONT PLAZA DRIVE  
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TELEPHONE 312-321-4200

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**TRADEMARK  
REEL: 002062 FRAME: 0498**

April 3, 2000

Page 2

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this correspondence is attached. Please contact the undersigned should you have any questions in regard to the above.

Respectfully submitted,



Nicholas G. de la Torre

NGD:dlh  
Enclosures