

05-15-2000

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FORM PTO-1594



U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

101356781

FORM PTO-1594
O'P E JC99
4/27/00
APR 27 2000
PATENT & TRADEMARK OFFICE

the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.
Box Assignment, Washington, DC 20231

1. Name of conveying party(ies): ELM Acquisition, L.P. <input type="checkbox"/> Individual(s) <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input checked="" type="checkbox"/> Limited Partnership <input type="checkbox"/> Corporation-State <input type="checkbox"/> Other _____ Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Name and address of receiving party(ies): Name: <u>ELM Packaging Company, L.P.</u> Internal Address: <u>5837 Distribution Drive</u> Street Address: _____ City <u>Memphis</u> State <u>TN</u> ZIP <u>38141</u> <input type="checkbox"/> Individual(s) citizenship _____ <input type="checkbox"/> Association _____ <input type="checkbox"/> General Partnership _____ <input checked="" type="checkbox"/> Limited Partnership <u>of Delaware</u> <input type="checkbox"/> Corporation-State _____ <input type="checkbox"/> Other _____ If assignee is not domiciled in the United States, a domestic representative designation is attached: <input type="checkbox"/> Yes <input type="checkbox"/> No (Designation must be a separate document from Assignment) Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input type="checkbox"/> No
3. Nature of conveyance: <input type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input checked="" type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: <u>April 8, 1998</u>	

4. Application number(s) or registration number(s): A. Trademark Application No.(s) <u>See attached sheet</u> Additional numbers attached? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	B. Trademark registration No.(s) <u>See attached sheet</u>
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5. Name and address of party to whom correspondence concerning document should be mailed: PENNIE & EDMONDS LLP 1155 Avenue of the Americas New York, NY 10036 Attn.: <u>Carol M. Wilhelm</u> File No.: <u>10148-004-999</u>	6. Total number of applications and registrations involved: <u>8</u> 7. Total fee (37 CFR 3.41):.....\$ <u>215.00</u> Please charge to the deposit account listed in Section 8. 8. Deposit account number: <u>16-1150</u>
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DO NOT USE THIS SPACE

9. Statement and signature. <i>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.</i> <table border="0" style="width:100%"> <tr> <td style="width:40%"><u>Carol M. Wilhelm</u></td> <td style="width:30%; text-align:center"></td> <td style="width:30%; text-align:right"><u>April 27, 2000</u></td> </tr> <tr> <td>Name of Person Signing</td> <td>Reg. No.</td> <td>Signature</td> </tr> <tr> <td></td> <td></td> <td>Date</td> </tr> </table>		<u>Carol M. Wilhelm</u>		<u>April 27, 2000</u>	Name of Person Signing	Reg. No.	Signature			Date
<u>Carol M. Wilhelm</u>		<u>April 27, 2000</u>								
Name of Person Signing	Reg. No.	Signature								
		Date								
Total number of pages comprising cover sheet:		<u>3</u>								

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

05/11/2000 DNGUYEN 00000237 161150 75160649

01 FC:481 40.00 CH
02 FC:482 175.00 CH

TRADEMARK
REEL: 002070 FRAME: 0583

NY2 - 1075236.1

CONTINUATION OF ITEM 4 (Additional application and registration numbers):

Trademark Applications

<u>Mark</u>	<u>Ser. No.</u>	<u>File Date</u>
ECOWARE	75/160,649	8/29/96
ECOLOGY FRIENDLY, ECONOMY WISE	75/160,701	8/29/96
TUFF STUFF and Design	75/176,684	10/3/96
RITE-CHOICE	75/330,544	7/25/97

Trademark Registrations

<u>Mark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>
LOW-CUBE	1,185,806	1/12/82
TUFF STUFF FOAMPLATES and Design	1,284,374	7/3/84
TUFF STUFF	1,285,283	7/10/84
TUFF STUFF and Design	2,215,093	12/29/98

NY2 - 1069045.1

CERTIFICATE OF AMENDMENT

TO

CERTIFICATE OF LIMITED PARTNERSHIP

OF

ELM ACQUISITION, L.P.

(Pursuant to Section 17-202 of the
Delaware Revised Uniform Limited Partnership Act)

Amendment, dated April 8, 1998, to the Certificate of Limited Partnership (the "Certificate") of Elm Acquisition, L.P., a Delaware limited partnership (the "Partnership"), which was filed with the Delaware Secretary of State on February 23, 1998.

1. The general partner of the Partnership desires to change the name of the Partnership and to amend Article 1 of the Certificate to reflect such change.
2. Article 1 of the Certificate is hereby amended in its entirety to read as follows:

"1. The name of the limited partnership is ELM Packaging
Company, L.P."

Except as reflected herein, the Certificate of Limited Partnership of the Partnership remains unchanged.

IN WITNESS WHEREOF, the undersigned has executed this Certificate of Amendment on behalf of the Partnership this 8TH day of April, 1998.

ELM GP, L.L.C.

By: 
Marcus J. George, Manager

346633.1/LL