

FORM PTO-1594  
(REV. 6-87)

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

Tab settings

To the Honorable Commissioner

09-11-2000



101453296

ACSD  
ETU.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

003

MRD 7/26/00

Original documents or copy thereof.

## 1. Name of conveying party(ies):

Caradon Thermal-Gard A Division of  
Caradon America, Inc.

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

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

## 3. Nature of conveyance:

- ☐ Assignment      ☐ Merger  
☐ Security Agreement      ☐ Change of Name  
☒ Other nunc pro tunc assignment

Execution Date: April 6, 1999

## 2. Name and address of receiving party(ies)

Name: Thermal-Gard, Inc.

Internal Address: \_\_\_\_\_

Street Address: 400 Walnut StreetCity Punxsutawney State: PA ZIP: 15767

- ☐ Individual(s) citizenship \_\_\_\_\_  
☐ Association \_\_\_\_\_  
☐ General Partnership \_\_\_\_\_  
☐ Limited Partnership \_\_\_\_\_  
☒ Corporation-State Pennsylvania  
☐ 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

07-26-2000

U.S. Patent &amp; TMO/TM Mail Rpt Dt. #70

Additional numbers attached? ☐ Yes ☒ No

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

Name: David B. SpearInternal Address: MARKEL, SCHAFER &GOLDMAN P.C.Street Address: 1120 Grant BuildingCity: Pittsburgh State: PA ZIP: 152196. Total number of applications and registrations involved: 17. Total fee (37 CFR 3.41).....\$ 40☒ 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.

David B. Spear

Name of Person Signing

David B. Spear

Signature

July 25, 2000

Date

Total number of pages including cover sheet, attachments, and document: 4Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box 2000  
Washington, D.C. 20231

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03-23-2000

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

07-26-2000

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #70

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

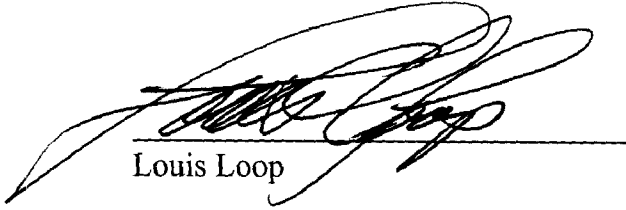
\* \* \* \* \*

**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

