

10-17-2000

REC



101489469

TO: The Commissioner of Patents and Trademarks. Please record the attached original document(s) or copy(ies).

Submission Type

- New 10-2-00
- 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

Execution Date  
Month Day Year

Name

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/Country

Zip Code

- Individual  General Partnership  Limited Partnership

Corporation  Association

Other

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.)

FOR OFFICE USE ONLY

10/16/2000 MTHAI1 00000246 274575

01 FC:481  
02 FC:482

40.00 DP  
250.00 DP

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

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

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Correspondent Name and Address**

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

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

#

**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)               |                                      |  |
|---------------------------------|----------------------|----------------------|--------------------------------------|--------------------------------------|--|
| <input type="text"/>            | <input type="text"/> | <input type="text"/> | <input type="text" value="274,575"/> | <input type="text" value="531,128"/> | <input type="text" value="1,236,179"/> |
| <input type="text"/>            | <input type="text"/> | <input type="text"/> | <input type="text" value="275,715"/> | <input type="text" value="534,532"/> | <input type="text" value="1,439,983"/> |
| <input type="text"/>            | <input type="text"/> | <input type="text"/> | <input type="text" value="369,025"/> | <input type="text" value="681,089"/> | <input type="text" value="1,347,909"/> |

**Number of Properties** Enter the total number of properties involved.

#

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

\$

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: #

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 deposit account are authorized, as indicated herein.

Daniel A. Crowe

*Daniel A. Crowe*

9-27-00

Name of Person Signing

Signature

Date Signed

RECORDATION FORM COVER SHEET  
CONTINUATION  
TRADEMARKS ONLY

**Conveying Party**

Enter Additional Conveying Party

Mark if additional names of conveying parties attached

Execution Date  
Month Day Year

Name

Formerly

Individual  General Partnership  Limited Partnership  Corporation  Association

Other

Citizenship State of Incorporation/Organization

**Receiving Party**

Enter Additional Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKATA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)  City  State/Country  Zip Code

Individual  General Partnership  Limited Partnership

Corporation  Association

Other

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 the Assignment.)

**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)

|                      |                      |                      |
|----------------------|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

|                      |                      |                      |
|----------------------|----------------------|----------------------|
| 1,457,318            | <input type="text"/> | <input type="text"/> |
| 1,480,717            | <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

ASSIGNMENT

WHEREAS, DMC CO. (formerly Duke Manufacturing Co.), a Missouri corporation, whose address is 2305 N. Broadway, St. Louis, Missouri 63106, (hereinafter referred to as "DMC") has adopted and used in its business certain trademarks; and

WHEREAS, DMC has certain registrations in the United States Patent and Trademark Office relating to said trademarks; and

WHEREAS, DUKE MANUFACTURING COMPANY II, a Missouri corporation, d/b/a Duke Manufacturing Co., whose address is 2305 N. Broadway, St. Louis, Missouri 63106 (hereinafter referred to as "Duke II") is desirous of acquiring the entire right, title and interest of DMC in said trademarks and said registrations and the good will of the business in connection with which said trademarks are used;

NOW THEREFORE, in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration by Duke II to DMC in hand paid, receipt of all of which is hereby acknowledged, DMC has agreed to and does hereby sell, assign and transfer unto Duke II, its successors and assigns, all of DMC's right, title and interest throughout the world in and to said trademarks and registrations together with the good will of the business in connection with which said trademarks are used, and together with full right to sue for and recover all profits and damages

recoverable from past infringements of said trademarks; including specifically, without limiting the generality of the foregoing, the United States registrations listed below.

TO BE HELD AND ENJOYED BY Duke II, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by DMC had this sale and assignment not been made.

THE UNITED STATES TRADEMARK REGISTRATIONS ARE AS FOLLOWS:

| <u>Reg. No.</u> | <u>Reg. Date</u>   | <u>Trademark</u>            |
|-----------------|--------------------|-----------------------------|
| 274,575         | September 3, 1930  | DUKE                        |
| 275,715         | September 30, 1930 | DUKE                        |
| 369,025         | July 11, 1939      | THURMADUKE                  |
| 531,128         | September 26, 1950 | THURMADUKE                  |
| 534,532         | December 12, 1950  | DUKE                        |
| 681,089         | June 30, 1959      | AEROHOT                     |
| 1,236,179       | May 3, 1983        | SNO-KOTE                    |
| 1,439,983       | May 19, 1989       | HERITAGE FROM DUKE          |
| 1,347,909       | July 9, 1985       | ECONO MATE                  |
| 1,457,318       | September 15, 1987 | OUR REPUTATION IS STAINLESS |
| 1,480,717       | March 15, 1988     | AEROTOT                     |

IN WITNESS WHEREOF, DMC has caused these presents to be executed by its officers thereunto

duly authorized and its corporate seal to be affixed  
this 21<sup>st</sup> day of September, 1990.

DMC CO. (formerly Duke  
Manufacturing Co.)

By Gene Johnson Sheffield  
President  
Title

(Corporate Seal)

ATTEST:

Gene Johnson Sheffield  
Secretary

WASHINGTON, D.C.  
NEW YORK, NEW YORK  
KANSAS CITY, MISSOURI  
JEFFERSON CITY, MISSOURI  
OVERLAND PARK, KANSAS  
PHOENIX, ARIZONA  
LOS ANGELES, CALIFORNIA  
IRVINE, CALIFORNIA

**BRYAN CAVE LLP**  
ONE METROPOLITAN SQUARE  
211 NORTH BROADWAY, SUITE 3600  
ST. LOUIS, MISSOURI 63102-2750  
(314) 259-2000  
FACSIMILE: (314) 259-2020

RIYADH, SAUDI ARABIA  
KUWAIT CITY, KUWAIT  
ABU DHABI, UNITED ARAB EMIRATES  
DUBAI, UNITED ARAB EMIRATES  
HONG KONG  
SHANGHAI, PEOPLE'S REPUBLIC OF CHINA  
IN ASSOCIATION WITH BRYAN CAVE.  
A MULTINATIONAL PARTNERSHIP.  
LONDON, ENGLAND

DANIEL A. CROWE

INTERNET ADDRESS  
DCROWE@BRYANCAVE.COM

DIRECT DIAL NUMBER  
(314) 259-2953

September 27, 2000

Commissioner for Patents and Trademarks  
Box Assignments  
Washington, D.C. 20231

Re: In Re U.S. Trademark Registration Nos.: 274,575; 275,715;  
369,025; 531,128; 534,532; 681,089; 1,236,179; 1,439,983;  
1,347,909; 1,457,318; 1,480,717  
Our Ref.: C40000/113305

Sir:

Enclosed please find the following documents to be filed in connection with the above-identified registrations and applications:

1. Transmittal letter (1 page in duplicate);
2. Recordation Cover Sheet with Assignment (6 pages);
3. Check in the amount of \$290.00 to cover Assignment recording fee; and
4. Return postcard.

If our check is missing or is insufficient, please charge any additional fee or credit any overpayment to Deposit Account No. 02-4467.

Should you have any questions regarding the enclosed materials, please do not hesitate to contact us.

Very truly yours,



Daniel A. Crowe

DAC/jw  
Enclosures

**TRADEMARK**  
**REEL: 002156 FRAME: 0528**

WASHINGTON, D.C.  
NEW YORK, NEW YORK  
KANSAS CITY, MISSOURI  
JEFFERSON CITY, MISSOURI  
OVERLAND PARK, KANSAS  
PHOENIX, ARIZONA  
LOS ANGELES, CALIFORNIA  
IRVINE, CALIFORNIA

**BRYAN CAVE LLP**  
ONE METROPOLITAN SQUARE  
211 NORTH BROADWAY, SUITE 3600  
ST. LOUIS, MISSOURI 63102-2750  
(314) 259-2000  
FACSIMILE: (314) 259-2020

RIYADH, SAUDI ARABIA  
KUWAIT CITY, KUWAIT  
ABU DHABI, UNITED ARAB EMIRATES  
DUBAI, UNITED ARAB EMIRATES  
HONG KONG  
SHANGHAI, PEOPLE'S REPUBLIC OF CHINA  
IN ASSOCIATION WITH BRYAN CAVE,  
A MULTINATIONAL PARTNERSHIP.  
LONDON, ENGLAND

INTERNET ADDRESS  
DCROWE@BRYANCAVE.COM

DANIEL A. CROWE  
DIRECT DIAL NUMBER  
(314) 259-2953

September 27, 2000

Commissioner for Patents and Trademarks  
Box Assignments  
Washington, D.C. 20231

Re: In Re U.S. Trademark Registration Nos.: 274,575; 275,715;  
369,025; 531,128; 534,532; 681,089; 1,236,179; 1,439,983;  
1,347,909; 1,457,318; 1,480,717  
Our Ref.: C40000/113305

Sir:

Enclosed please find the following documents to be filed in connection with the above-identified registrations and applications:

1. Transmittal letter (1 page in duplicate);
2. Recordation Cover Sheet with Assignment (6 pages);
3. Check in the amount of \$290.00 to cover Assignment recording fee; and
4. Return postcard.

If our check is missing or is insufficient, please charge any additional fee or credit any overpayment to Deposit Account No. 02-4467.

Should you have any questions regarding the enclosed materials, please do not hesitate to contact us.

Very truly yours,



Daniel A. Crowe

DAC/jw  
Enclosures

RECORDED: 10/02/2000

TRADEMARK  
REEL: 002156 FRAME: 0529