

360

03-21-2001



101643873

03-06-2001

U.S. Patent & TMO/ TM Mail Rcpt Dt. #58

**CORDATION FORM COVER SHEET  
TRADEMARKS ONLY**

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

**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  Change of Name
  - Other
- Effective Date  
Month Day Year

**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)

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

Citizenship/State of Incorporation/Organization

03/21/2001 JJALIAH2 00000004 75704181

**FOR OFFICE USE ONLY**

01 FC:481 40.00 OP  
02 FC:482 400.00 OP

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

**TRADEMARK**

**REEL: 002254 FRAME: 0300**

**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" value="75/704,181"/>	<input type="text" value="75/702,657"/>	<input type="text" value="75/702,656"/>	<input type="text" value="2,321,459"/>	<input type="text" value="2,354,022"/>	<input type="text" value="2,123,134"/>
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**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.

Joseph A. Sebolt

03/06/01

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/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 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)**

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

I hereby certify that this Recordation Form Cover Sheet is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. and is addressed to: Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia, 22202-3513 this 6th day of March 2001.



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Fiona Ferguson

Express Mail No. EL722056751US



03-06-2001

U.S. Patent & TMOfo/TM Mail Ropt Dt. #58

**ASSIGNMENT**

WHEREAS **AEI ACQUISITION LLC**, a Delaware corporation having a business address of 6370 Wise Avenue, NW, North Canton, Ohio 44720, (hereinafter referred to as AEI) is the owner of the entire rights, titles, and interest in the trademarks listed in Attachment "A" hereto, and is the record title holder of said trademarks; and

WHEREAS through an Agreement of Sale dated August 3, 1999, **NEXPAK CORPORATION**, a Delaware corporation having a business address of 6370 Wise Avenue, NW, North Canton, Ohio 44720, (hereinafter referred to as NEXPAK) purchased the entire rights, titles, and interests in said trademarks including the goodwill of the business symbolized by said trademarks, wherefore NEXPAK is the equitable owner of the legal title to said trademarks; and

WHEREAS NEXPAK is desirous of acquiring the entire interest in and to said trademarks, and in and to said trademark registrations, and of perfecting the record title thereto in NEXPAK;

NOW THEREFORE, in consideration of the premises, in exchange for the sum of One Dollar (\$1.00), and of other good and valuable considerations to it paid, the receipt of which is hereby acknowledged, and in performance of the Agreement of Sale dated August 3, 1999, AEI by these presents hereby assigns, transfers, conveys, and sets over unto said NEXPAK, its successors, assigns and legal representatives, the entire rights, titles, and interests to and under said trademarks, together with the goodwill of the business in connection with which said trademarks were and are used, and all rights incident thereto;

Said AEI hereby releases, assigns, and transfers unto said NEXPAK its successors, assigns and legal representatives, all rights, titles, and interests, claims and demands whatsoever said AEI had in, to and by, under and through, said trademark, including all claims for any and all past infringement thereof and the right to sue therefor;

ALL OF THE SAME to be held and enjoyed by said NEXPAK for its own

use and behoof and for its successors, assigns and legal representatives as fully and entirely as the same would have been held and enjoyed by said AEI had this Assignment not been made.

Executed at North Canton, Ohio, this 28<sup>th</sup> day of February 2001.

AEI ACQUISITION LLC

ATTEST:

Michael Sims

Name: Michael Sims

Title: President

Susan L. Elliott

STATE OF Ohio  
STARK COUNTY

Before me, a Notary Public in and for Stark County, personally appeared Michael Sims, personally well known to me and acknowledge the signing of the above instrument to be his voluntary act and deed and that of the corporation AEI ACQUISITION LLC, for the purposes therein set forth.

Witness my signature and Official Seal at N. Canton, Ohio,  
this 28<sup>th</sup> day of February, 2001.

Susan L. Elliott

NOTARY PUBLIC

Susan Lyn Elliott

Notary Public, State of Ohio

My Commission Expires

June 12, 2005

SEAL.

TRADEMARK ASSIGNMENT QUERY AS OF 9/5/2000 10:44:54  
REEL/FRAME DATA

REEL: 1963  
FRAME: 0823

DATE LAST UPDATED: 06/01/2000  
DATE IN SYSTEM:  
DATE KEYED IN:  
RECORDATION DATE: 09/22/1999  
DATE MAILED: 12/08/1999  
ASSIGNMENT RECEIPT DATE: 09/24/1999  
CONVEY EFFECTIVE DATE:

NUMBER OF PAGES: 007

ELECTRONIC SUBMISSION: N  
PTAS SUBMISSION: Y

**CORRESPONDENCE**

NAME: CROWELL & MORING LLP  
ELIZABETH MILLER ROESEL, ESQ.  
1001 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, D.C. 20004

BRIEF CODE: 22

BRIEF TEXT: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

**CONVEYING PARTY DATA**

ENTRY: 001  
NAME: ALPHA ENTERPRISES, INC.  
FORMERLY:  
ENTITY: 03 - CORPORATION  
ENTITY TEXT:  
CITIZENSHIP: OH - OHIO  
EXECUTION DATE: 08/02/1999

**RECEIVING PARTY DATA**

ENTRY: 600  
NAME: AEI ACQUISITION LLC  
COMPOSED OF:  
DBA/AKA/TA:  
ADDRESS: 1270 AVENUE OF THE AMERICAS, SUITE 2200  
C/O PALLADIUM EQUITY PARTNERS LLC  
NEW YORK  
STE/CTRY CODE: NY - NEW YORK  
ZIP CODE: 10020  
ENTITY: 99 - OTHER  
ENTITY TEXT: DELAWARE LIMITED LIABILITY COMPANY  
CITIZENSHIP: DE - DELAWARE

**DOMESTIC REPRESENTATIVE DATA**

NAME:

**PROPERTY DATA**

SERIAL NUMBER: 75659757 FILING DATE: 03/09/1999  
REGISTRATION NUMBER: 00000000 ISSUE DATE: 00/00/0000  
WORD MARK: TRIMPAK  
MARK DESCRIPTION: WORDS, LETTERS, OR NUMBERS IN TYPED FORM  
LOCATION: M3D - TMO LAW OFFICE 112 - DOCKET CLERK  
LOCATION DATE: 08/28/00

**EXAMINER: HICKEY, SUELLEN C**

**END OF DATA**

**NOTE: Assignments prior to 01/01/1955 are not contained in this data base.**

**PAGE 2 of 2**

**TRADEMARK  
REEL: 002254 FRAME: 0307**



TRADEMARK ASSIGNMENT QUERY AS OF 9/5/2000 10:44:46  
REEL/FRAME DATA

REEL: 2085  
FRAME: 0243

DATE LAST UPDATED: 08/02/2000  
DATE IN SYSTEM:  
DATE KEYED IN:  
RECORDATION DATE: 05/05/2000  
DATE MAILED: 08/02/2000  
ASSIGNMENT RECEIPT DATE: 05/31/2000  
CONVEY EFFECTIVE DATE:

NUMBER OF PAGES: 005

ELECTRONIC SUBMISSION: N  
PTAS SUBMISSION: Y

**CORRESPONDENCE**

NAME: ASTON PARK PROFESSIONAL CENTRE  
JOSEPH A. SEBOLT  
SUITE 194  
4801 DRESSLER ROAD, NW  
CANTON, OH 44718

BRIEF CODE: 22

BRIEF TEXT: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

**CONVEYING PARTY DATA**

ENTRY: 001  
NAME: ALPHA ENTERPRISES, INC.  
FORMERLY:  
ENTITY: 03 - CORPORATION  
ENTITY TEXT:  
CITIZENSHIP: OH - OHIO  
EXECUTION DATE: 04/26/2000

**RECEIVING PARTY DATA**

ENTRY: 600  
NAME: NEXPARK CORPORATION  
COMPOSED OF:  
DBA/AKA/TA:  
ADDRESS: 6370 WISE AVENUE, NW  
NORTH CANTON  
STE/CTRY CODE: OH - OHIO  
ZIP CODE: 44720  
ENTITY: 03 - CORPORATION  
ENTITY TEXT:  
CITIZENSHIP: DE - DELAWARE

**DOMESTIC REPRESENTATIVE DATA**

NAME:

**PROPERTY DATA**

SERIAL NUMBER: 75659757 FILING DATE: 03/09/1999  
REGISTRATION NUMBER: 0000000 ISSUE DATE: 00/00/0000  
WORD MARK: TRIMPAK  
MARK DESCRIPTION: WORDS, LETTERS, OR NUMBERS IN TYPED FORM  
LOCATION: M3D - TMO LAW OFFICE 112 - DOCKET CLERK  
LOCATION DATE: 08/28/00

**END OF DATA**

**NOTE: Assignments prior to 01/01/1955 are not contained in this data base.**

TRADEMARK ASSIGNMENT QUERY AS OF 9/5/2000 10:46:4  
REEL/FRAME DATA

REEL: 1963	DATE LAST UPDATED: 06/01/2000
FRAME: 0823	DATE IN SYSTEM:
	DATE KEYED IN:
NUMBER OF PAGES: 007	RECORDATION DATE: 09/22/1999
	DATE MAILED: 12/08/1999
ELECTRONIC SUBMISSION:N	ASSIGNMENT RECEIPT DATE:09/24/1999
PTAS SUBMISSION: Y	CONVEY EFFECTIVE DATE:

**CORRESPONDENCE**

NAME: CROWELL & MORING LLP  
ELIZABETH MILLER ROESEL, ESQ.  
1001 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, D.C. 20004

BRIEF CODE: 22  
BRIEF TEXT: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

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ENTRY: 001  
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FORMERLY:  
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ENTITY TEXT:  
CITIZENSHIP: OH - OHIO  
EXECUTION DATE: 08/02/1999

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ZIP CODE: 10020  
ENTITY: 99 - OTHER  
ENTITY TEXT: DELAWARE LIMITED LIABILITY COMPANY  
CITIZENSHIP: DE - DELAWARE

**DOMESTIC REPRESENTATIVE DATA**

NAME:

**PROPERTY DATA**

SERIAL NUMBER: 75702655 FILING DATE: 05/10/1999  
REGISTRATION NUMBER: 00000000 ISSUE DATE: 00/00/0000  
WORD MARK: ALPHA CASE  
MARK DESCRIPTION: WORDS, LETTERS, OR NUMBERS AND DESIGN  
LOCATION: M3D - TMO LAW OFFICE 112 - DOCKET CLERK  
LOCATION DATE: 08/28/00

EXAMINER:HICKEY, SUELLEN C

END OF DATA

NOTE: Assignments prior to 01/01/1955 are not contained in this data base.

PAGE 2 of 2

TRADEMARK  
REEL: 002254 FRAME: 0311

TRADEMARK ASSIGNMENT QUERY AS OF 9/5/2000 10:45:50  
REEL/FRAME DATA

REEL: 2085  
FRAME: 0243

DATE LAST UPDATED: 08/02/2000  
DATE IN SYSTEM:  
DATE KEYED IN:  
RECORDATION DATE: 05/05/2000  
DATE MAILED: 08/02/2000  
ASSIGNMENT RECEIPT DATE: 05/31/2000  
CONVEY EFFECTIVE DATE:

NUMBER OF PAGES: 005

ELECTRONIC SUBMISSION: N  
PTAS SUBMISSION: Y

**CORRESPONDENCE**

NAME: ASTON PARK PROFESSIONAL CENTRE  
JOSEPH A. SEBOLT  
SUITE 194  
4801 DRESSLER ROAD, NW  
CANTON, OH 44718

BRIEF CODE: 22

BRIEF TEXT: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

**CONVEYING PARTY DATA**

ENTRY: 001  
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ENTITY TEXT:  
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ENTITY: 03 - CORPORATION  
ENTITY TEXT:  
CITIZENSHIP: DE - DELAWARE

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LOCATION DATE: 08/28/00

**EXAMINER: HICKEY, SUELLEN C**

**END OF DATA**

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Fiona Ferguson

Express Mail No. EL722056751US