

04-25-2001



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**RECORDATION FORM COVER SHEET
TRADEMARKS ONLY**

28

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 #

MTC
3,28.01

Conveyance Type

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

Conveying Party

75565/00

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

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: 002279 FRAME: 0006

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1) **EXPRESS MAIL** Mailing Label Number EL 225106507US

Address (line 2) Date of Deposit: 03/28/2001

Address (line 3) I hereby certify that this paper or fee is being deposited with the United States Postal Service Express Mail Post Office to Addressee service under 37 CFR 1-10 on the date indicated above and is addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.

Address (line 4) *Rebecca B. Lederhouse*

Correspondent Name and Address

Area Code and Telephone Number 312 372 2000

Name Rebecca B. Lederhouse

Address (line 1) McDermott, Will & Emery

Address (line 2) 227 West Monroe Street

Address (line 3) Suite 4400

Address (line 4) Chicago, IL 60606

Pages

Enter the total number of pages of the attached conveyance document including any attachments. # 3

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)

75565100

Number of Properties

Enter the total number of properties involved. # 1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$ 40.00

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: # 13-0206

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.

Rebecca B. Lederhouse

March 28, 2001

Name of Person Signing

Signature

Date Signed

NUNC PRO TUNC ASSIGNMENT OF
UNITED STATES TRADEMARK APPLICATION

WHEREAS, Rexam Beverage Can Company, formerly known as American National Can Company (“Assignor”), a corporation organized and existing under the laws of Delaware, having its principal place of business at 8770 West Bryn Mawr Avenue, Chicago, Illinois 60631, owns pending U.S. trademark application Serial No. 75/565,100 for TEAR-AWAY for “flexible plastic packaging for food” (the “Trademark”);

WHEREAS, Pechiney Plastic Packaging, Inc. (“Assignee”), a corporation organized and existing under the laws of Delaware, having its principal place of business at 8770 West Bryn Mawr Avenue, Chicago, Illinois 60631, is desirous of acquiring the entire right, title and interest in and to said Trademark, including the right to bring actions for infringement of said Trademark occurring prior to the date of this Assignment;

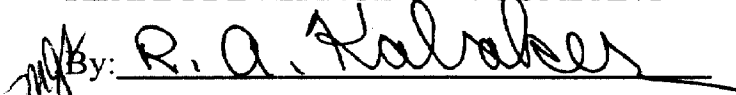
NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN, be it known that for valuable and legally sufficient consideration, the receipt and legal sufficiency of which are hereby acknowledged by the Assignor, the Assignor has sold, assigned, and transferred, and by these presents does sell, assign, and transfer unto the Assignee, the Assignor’s entire right, title and interest in and to the Trademark, including the right to bring actions for infringements of said Trademark occurring prior to the date of this Assignment, together with the ongoing and existing part of the business to which the Trademark pertains and that part of the goodwill of the Assignor’s business connected with and symbolized by said Trademark;

This assignment is being made *nunc pro tunc* to make it express that Assignor assigned to Assignee the Trademark and the ongoing and existing part of the business to which the Trademark pertains as of July 1, 1999.

IN TESTIMONY WHEREOF, the Assignor has caused this Assignment of United States

Trademark to be executed by its authorized representative.

REXAM BEVERAGE CAN COMPANY

By:  R. A. Kalra

Title: Vice President and General Counsel

Date: March 23, 2001

CHI99 3678696-1.024180.0585

STATE OF ILLINOIS)
)
COUNTY OF Cook)

CERTIFICATE OF ACKNOWLEDGMENT

I, Patricia M. Rourke Notary Public, in and for the County and State aforesaid, do hereby certify that Richard A. Kabaker, known to be to be the Vice President and General Counsel of Rexam Beverage Can Company, appeared before me this day, in person, and acknowledged that he/she signed, sealed and delivered the foregoing instrument on behalf of Rexam Beverage Can Company formerly known as American National Can Company, as his/her free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF I have hereunto set my hand and Notarial Seal, this 23 day of March, 2001.



Patricia M. Rourke
Notary Public
Commission Expires: 9/6/04

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Date of Deposits: 03/28/2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service Express Mail Post Office to Addressee service under 37 CFR 1-10 on the date indicated above and is addressed to the Assistant Commissioner for Trademarks, 2800 Crystal Drive, Arlington, VA 22202-8513

Janet [Signature]