

05-22-2001

ET

Docket No.:

Y



101730463

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To the Honorable Commissioner of Patents and Trademarks, attached original documents or copy thereof.

1. Name of conveying party(ies):  
**INSTA-FOAM PRODUCTS, INC.**  
*5-7-01* *4-1400*

Individual(s)                       Association  
 General Partnership               Limited Partnership  
 Corporation-State **Delaware**  
 Other \_\_\_\_\_

Additional names(s) of conveying party(ies)       Yes  No

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

Name: **SEALED AIR CORPORATION**

Internal Address: \_\_\_\_\_ **MAY**

Street Address: **Park 80 East**

City: **Saddle Brook**                      State: **NJ**      ZIP: **07663**

Individual(s) citizenship \_\_\_\_\_  
 Association \_\_\_\_\_  
 General Partnership \_\_\_\_\_  
 Limited Partnership \_\_\_\_\_  
 Corporation-State **Delaware**  
 Other \_\_\_\_\_

If assignee is not domiciled in the United States, a domestic designation is                       Yes       N  
(Designations must be a separate document from  
Additional name(s) & address(es)                       Yes       N

3. Nature of conveyance:

Assignment                       Merger  
 Security Agreement               Change of Name  
 Other \_\_\_\_\_

Execution Date: **March 10, 2000**

4. Application number(s) or registration numbers(s):

A. Trademark Application No.(s)

Additional numbers                       Yes  No

B. Trademark Registration No.(s)

**2,014,597**

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

Name: **John P. Mark, Esq.**

Internal Address: **Sealed Air Corporation**

Street Address: **Park 80 East**

City: **Saddle Brook**                      State: **NJ**      ZIP: **07663**

6. Total number of applications and registrations involved:..... **1**

7. Total fee (37 CFR 3.41):.....\$ **\$40.00**

Enclosed  
 Authorized to be charged to deposit account

8. Deposit account number:

**500952**

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.

**H. Katherine White**                      *H. Katherine White*                      **May 4, 2001**  
Name of Person Signing                      Signature                      Date

Total number of pages including cover sheet, attachments, and

**5**

07-03-2000



101394409

4.14.00

04-14-2000

U.S. Patent & TMO's/TM Mail Rpt Dt. #01

U.S. Department of Commerce  
Patent and Trademark Office  
TRADEMARK

### RECORDATION 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

Name INSTA-FOAM PRODUCTS, INC.

Execution Date  
Month Day Year  
03102000

Formerly \_\_\_\_\_

- Individual  General Partnership  Limited Partnership  Corporation  Association
- Other \_\_\_\_\_
- Citizenship/State of Incorporation/Organization Delaware

#### Receiving Party

Mark if additional names of receiving parties attached

Name SEALED AIR CORPORATION

DBA/AKA/TA \_\_\_\_\_

Composed of \_\_\_\_\_

Address (line 1) Park 80 East

Address (line 2) Saddle Brook

Address (line 3) Saddle Brook

New Jersey

State/Country

07663

Zip Code

- Individual  General Partnership  Limited Partnership  Association
- Corporation  Association
- Other \_\_\_\_\_

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.)

Citizenship/State of Incorporation/Organization Delaware

FOR OFFICE USE ONLY

06/30/2000 DNGUYEN 00000119 500952 2154314

01 FC:481 40.00 CH  
02 FC:482 150.00 CH

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: 002300 FRAME: 0791

**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="75864317"/> ✓	<input type="text"/>	<input type="text"/>	<input type="text" value="2154314"/> ✓	<input type="text" value="2151414"/> ✓	<input type="text" value="2101398"/> ✓
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="2044912"/> ✓	<input type="text" value="1642585"/> ✓	<input type="text" value="1658016"/> ✓
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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.

John P. Mark, Esq.

Name of Person Signing

Signature

4/14/2000

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)**

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Mark if additional numbers attached

Trademark Application Number(s)

Registration Number(s)

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## ASSIGNMENT OF TRADEMARKS

Dated: As of March 10, 2000

WHEREAS, INSTA-FOAM PRODUCTS, INC., a Delaware corporation with offices at 1881 West Oak Parkway, Marietta, Georgia 30062 ("Assignor") has adopted, used and is using the trademarks listed on Schedule A, one or more of which are registered or applications have been made for registration on the Principal Register in the United States Patent and Trademark Office, with the Serial Numbers and Registration Numbers set forth on Schedule A, as well as all other trademarks, service marks, trade names and the trade dress used in connection with the Acquired Business (the "Marks");

WHEREAS, Assignor owns all of the rights, title and interest in and to the Marks;  
and

WHEREAS, pursuant to the Agreement, Assignor has agreed to transfer the Marks to SEALED AIR CORPORATION, a Delaware corporation with offices at Park 80 east, Saddle Brook, New Jersey 07663 ("Assignee");

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged,

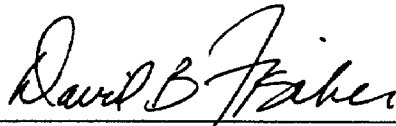
1. Assignor does hereby sell, assign, transfer and set over to Assignee all right, title and interest in and to the Marks, together with the goodwill of the Acquired Business associated therewith.

2. Assignor does also hereby assign, sell, transfer and set over unto assignee all claims for damages for reason of past infringement of the Marks, as well as the right to sue for and collect the same for its own use and enjoyment.

3. Assignor further authorizes the commissioner of Patents and Trademarks of the United states and any official of any country or countries foreign to the United States whose duty it is to record trademark registrations, applications and title thereto, to record the Marks and title thereto as the property of the Assignee, its successors, legal representatives and assigns in accordance with the terms of this instrument.

Now therefore, for good and valuable consideration, the receipt of which is hereby acknowledged, said INSTA-FOAM PRODUCTS, INC. does hereby assign to the said SEALED AIR CORPORATION (US) all right, title and interest in and to the trademarks and the goodwill of the Acquired Business symbolized thereby.

**INSTA-FOAM PRODUCTS, INC., Assignor**



---

By: David B. Fischer  
Title: Vice President

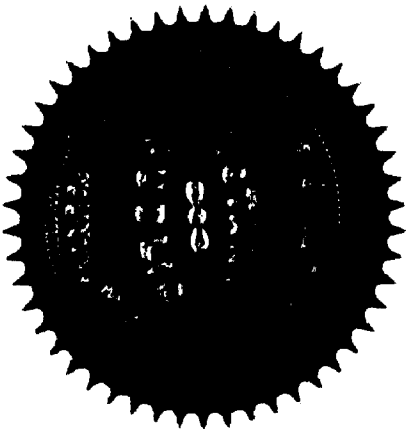
State of Michigan )  
 ) ss  
County of Midland )

On this 10<sup>th</sup> day of March 2000, before me appeared DAVID B. FISCHER,  
the person who signed this instrument, who acknowledged that he signed it as a free act on  
his own behalf (or on behalf of the identified corporation or other juristic entity with  
authority to do so).

(SEAL) Connie J. LaFleur  
Notary Public

My Commission Expires: 11/16/2001

CONNIE J. LAFLEUR  
NOTARY PUBLIC, SAGINAW COUNTY, MICHIGAN  
MY COMMISSION EXPIRES NOVEMBER 16, 2001  
ACTING IN MIDLAND COUNTY, MICHIGAN



*State of Delaware*  
*Office of the Secretary of State*

---

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"THE NEW ALBANY COMPANY LIMITED PARTNERSHIP", A DELAWARE LIMITED PARTNERSHIP,

WITH AND INTO "THE NEW ALBANY COMPANY LLC" UNDER THE NAME OF "THE NEW ALBANY COMPANY LLC", A LIMITED LIABILITY COMPANY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE SEVENTH DAY OF OCTOBER, A.D. 1998, AT 12 O'CLOCK P.M.



2945882 8100M

981388482

A handwritten signature in cursive script, reading "Edward J. Freel".

Edward J. Freel, Secretary of State

AUTHENTICATION: 9343212

DATE: 10-07-98

TRADEMARK  
REEL: 002300 FRAME: 0797



**CERTIFICATE OF MERGER**

**OF**

**THE NEW ALBANY COMPANY LIMITED PARTNERSHIP**

**INTO**

**THE NEW ALBANY COMPANY LLC**

**[Domestic Limited Liability Company Surviving]**

The undersigned limited liability company, The New Albany Company LLC, organized and existing under and by virtue of the Delaware Limited Liability Company Act, 6 Del. C. §§18-101, et seq. (the "Delaware LLC Act"), for the purpose of merging with another entity pursuant to §18-209 of the Delaware LLC Act, DOES HEREBY CERTIFY:

FIRST: That the name and jurisdiction of formation or organization of each of the constituent entities which are to merge are as follows:

<u>Name</u>	<u>Jurisdiction of Formation or Organization</u>
The New Albany Company Limited Partnership	Delaware
The New Albany Company LLC	Delaware

SECOND: An agreement of merger has been approved, adopted, certified, executed and acknowledged by the constituent entities in accordance with §18-209 of the Delaware LLC Act and §17-211 of the Delaware Revised Uniform Limited Partnership Act, 6 Del.C., Chapter 17 (the "Partnership Act").

THIRD: The name of the surviving Delaware limited liability company is The New Albany Company LLC.

FOURTH: The merger of The New Albany Company Limited Partnership into The New Albany Company LLC shall be effective at 5:00 p.m. on 10/7, 1998.

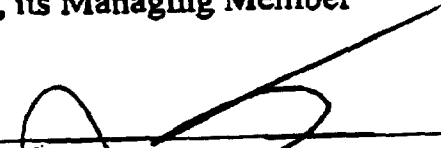
FIFTH: The executed agreement of merger is on file at a place of business of the surviving Delaware limited liability company, to wit: 5906 East Dublin-Granville Road, New Albany, Ohio 43054.


SIXTH: A copy of the agreement of merger will be furnished by the surviving Delaware limited liability company, on request and without cost, to any partner of The New Albany Company Limited Partnership or any member of The New Albany Company LLC.

IN WITNESS WHEREOF, this Certificate of Merger has been duly executed this 7th day of October, 1998, and is being filed in accordance with §18-209 of the Delaware LLC Act and §17-211 of the Delaware Partnership Act by an authorized officer of each of the managers of the surviving Delaware limited liability company.

THE NEW ALBANY COMPANY LLC

By N.A. Property, Inc., a Delaware corporation, its Managing Member

By:   
Print Name: JEFFREY EPSTEIN  
Title: PRESIDENT

And by   
Leslie H. Wexner, its  
Managing Member