

09-19-2001



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TRADEMARK

Form PTO-1594 (Rev. 03/01) OMB No 0651-0027 (exp. 5/31/2002) Tab settings

U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

G-1301

HERBERTS POLYMER POWDERS SA

- Individual(s) Association General Partnership Limited Partnership Corporation-State Other Corporation - Switzerland

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

2. Name and address of receiving party(ies)

Name: DUPONT POLYMER POWDERS - Internal SWITZERLAND SA

-Address-

Street Address: Rue St. Joseph 15

City: Bulle State: Switzerland Zip: CH-1630

- Individual(s) citizenship Association General Partnership Limited Partnership Corporation-State

Other Corporation - Switzerland

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

3. Nature of conveyance:

- Assignment Merger Security Agreement Change of Name Other

Execution Date: October 23, 2000

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

A. Trademark Application No.(s)

75/735343

B. Trademark Registration No.(s)

Additional number(s) attached Yes No

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

Name: Peter M. Ferrell III, Esq.

Internal Address:

TDIAZ1 00000014 082449 75735343

40.00 CH

c/o Eileen T. Brown Associates LLC

Street Address: 90 Crystal Run Road

Suite 401

City: Middletown State: NY Zip: 10941

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:

082449

(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.

Peter M. Ferrell III

Name of Person Signing

TM52

Signature

September 7, 2001

Date

14

Total number of pages including cover sheet, attachments, and document:

Mail documents to be recorded with required cover sheet information to: Commissioner of Patent & Trademarks, Box Assignments Washington, D.C. 20231

TRADEMARK REEL: 002368 FRAME: 0740

09/19/2001 01 FC:481

In re the Application of :  
DUPONT POLYMER POWDERS SWITZERLAND SA :  
By Change of Name from :  
HERBERTS POLYMER POWDERS SA :  
Application Serial No. 75/735343 :  
Filed: July 19, 1999 :  
Mark: FLAMULIT :

BOX NO FEE  
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

**Designation of Domestic Representative**

M a d a m :

Applicant, DuPont Polymer Powders Switzerland SA, by change of name from

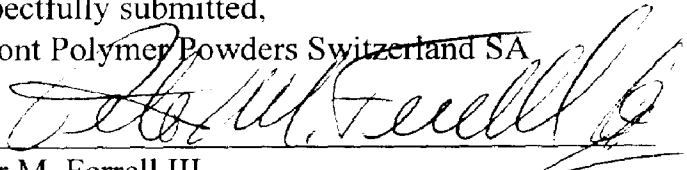
Herberts Polymer Powders SA, hereby designates:

Eileen T. Brown Associates LLC  
90 Crystal Run Road, Suite 401  
Middletown, New York 10941  
Telephone: (845) 703-1661

as Applicant's Domestic Representative in the United States upon whom notice of process in proceedings affecting the above-identified mark may be served, pursuant to Section 1(e) of the Lanham Act, 15 U.S.C. Sec. 1051(e) and 37 C.F.R. Sec. 2.24.

Dated: Middletown, New York  
September 7, 2001

Respectfully submitted,  
DuPont Polymer Powders Switzerland SA

By:   
Peter M. Ferrell III  
Attorney for Applicant

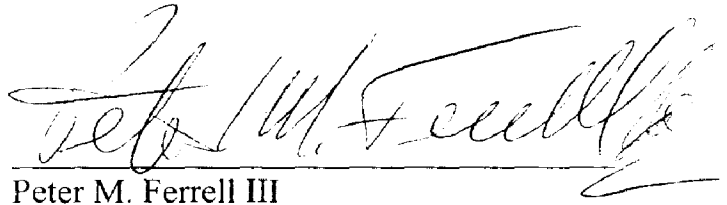
Peter M. Ferrell III  
c/o Eileen T. Brown Associates LLC  
90 Crystal Run Road, Suite 401  
Middletown, New York 10941  
(845) 703-1661

**Certificate of Mailing**

I hereby certify the within correspondence is being deposited with the United States Postal Service as First Class mail, postage prepaid, in an envelope addressed to:

BOX ASSIGNMENTS  
Commissioner for Trademarks  
Washington, D. C. 20231

on September 7, 2001.



Peter M. Ferrell III

**Beglaubigte Ablichtung**

**Translator's Affidavit**

IN THE MATTER OF  
copies from the Commercial Register  
concerning  
DuPont Polymer Powders Switzerland Sàrl

I, Susanne Scheid, Certified Translator, graduate of the University of Mainz, Germany, residing at Hauptstrasse 34, 63654 Büdingen, Federal Republic of Germany, do solemnly and sincerely declare that I am acquainted with the English and French languages and that the following is a true translation from the French into the English language of the appended copies from the Commercial Register concerning DuPont Polymer Powders Switzerland Sàrl.

And I make this declaration conscientiously believing the same to be true.

*Susanne Scheid*  
Susanne Scheid

Sworn translator for the English and French languages  
for the courts and notaries public  
of the Federal State of Hesse, Germany

Declared at Frankfurt am Main

this *March 26, 2001*

**TRADEMARK**  
**REEL: 002368 FRAME: 0743**

# EXTRACT FROM THE COMMERCIAL REGISTER OF LA GRUYÈRE

Registration number and date: No. 54, dated 07.09.59  
No. 497, dated 24.10.00

Company name: **DuPont Polymer Powders Switzerland SA**

Former company name: Plast-Labor S.A. and Herberts Polymer Powders S.A.

Legal status: Public company

Date of articles of association: 05.03.56, amended 28.07.59, 18.10.63, 14.02.66, 03.11.89,  
22.12.95, and 06.08.99

## Board of Directors

- Dr Ulrich Wyss, from Bern and Herzogenbuchsee, at Charmey, Director and Chairman
- Luke Henri Gillon, from Châtonnaye/Le Châtelard, at Villars-sur-Glâne, Director
- Michel Riva, from Walzenhausen (Appenzell), at Charmey, Executive Director
- Jon Killingstad, a Norwegian national, at Cologne (Germany), Director

Share capital: CHF 900.000 in 900 bearer bonds of CHF 1000, fully paid up.

Acquisition by merger: assets: CHF 2,335,264.10, liabilities: CHF 13,000.00 of the public company Coathylène S.A., of Fribourg, in accordance with the terms of the merger agreement of 03.11.89 and balance sheet of 30.09.89, according to Art. 748 CO.

Registered office: Bulle, rue St-Joseph 15

Advertised in: *Feuille Officielle Suisse du Commerce* (FOSC) [Swiss official trade bulletin]

**Auditors: PricewaterhouseCoopers S.A., in Geneva**

Authorized signatories:

- Dr Ulrich Wyss, Director and Chairman, sole signatory
- Luke Henri Gillon, Director, signatory with one other
- Peter Flury, from Nennigkofen, at Vuadens, Deputy Director, signatory with one other
- Yves Bosson, from Riaz, at Bulle, authorized signing officer, signatory with one other
- Jean-Pierre Bernhard, from Untervaz, at Mont-Pèlerin, authorized signing officer, signatory with one other
- Michel Riva, Executive Director, sole signatory
- Jon Killingstad, Director, signatory with one other

Published in FOSC: September 10, 1959  
November 3, 2000, No. 215, p. 7491

Object: Manufacture and trade in chemical and technical products, acquisition, development, and use of patents and trademarks, as well as of manufacturing methods used in the chemical and technical industries, conduct of business and of activities in the chemical, technical, and related industries; it may also, in the pursuit of its object, acquire, manage, and conduct transactions in land and buildings.

The company has been dissolved within the meaning of Art. 738 and 824 ss CO, by means of a transformation without liquidation, into a limited liability company constituted under the company name DuPont Polymer Powders Switzerland Sàrl. Resolution of the general meeting of October 23, 2000.

Certified true and accurate extract.

Bulle, February 27, 2001/jb

Deputy Registrar  
J. Berthoud

Stamp:  
Bulle Commercial Register

Serial No	Sheet	Legal status	Report dated	Date of registration	Expiry date	Do
		Limited liability company	Registered office	Registered address	Articles of association dated	Branch offices
Ref	Ref	Ref	Ref	Ref	Ref	Ref
1	1	DuPont Polymer Powders Switzerland Sarl	Bulle	Rue St-Joseph 25	23.10.2000	
<p>Capital</p> <p>Nominal</p> <p>Paid up</p> <p>CHF 900,000</p> <p>CHF 900,000</p>		<p>Shares, services provided by partners, resources</p>	<p>Object: remarks</p> <p>1</p> <p>Object: Manufacture and trade in chemical and technical products, acquisition, development, and use of patents and trademarks, as well as of manufacturing methods used in the chemical and technical industries, conduct of business and of activities in the chemical, technical, and related industries; it may also, in the pursuit of its object, acquire, manage, and conduct transactions in land and buildings.</p>			
<p>Contributions in kind, repossession of goods, payment of creditors, special advantages, responsibility, additional payments</p>		<p>Ref</p> <p>Advertising media, supervisory authority (foundation)</p>				
<p>Transformation without liquidation, within the meaning of Art. 738 and 824 ss CO of the public company "DuPont Polymer Powders Switzerland SA", in Bulle, in accordance with the transformation balance sheet on 31.12.99, showing assets of CHF 22,952,625 and liabilities of CHF 6,508,433, that is to say net assets of CHF 16,444,92.</p>		<p>Ref</p> <p>1</p> <p>FOSC</p>				

TRADEMARK

Ref	Record		FOSC publication			Reference No.			Partners, managers, directors, authorized signatories		
	No	Date	No.	Date	Page	Entr	Mod.	Rad.	Personal details, marital status	Position, share of capital	
1	408	24.10.2000	215	03.11.2000	7491	1		1	Du Pont de Nemours (Netherlands) B.V., Baarnhoekweg 22, 4400 Dordrecht, Netherlands	Partner with a shareholding of CHF 800,000	Signatory with one other
2	514	30.10.2000	219	09.11.2000	7629	1		2	Luke Henry Gillon, from Châttonay/Le Châtelard, at Villars-sur-Glâne	Managing partner with a shareholding of CHF 1,000	Signatory with one other
3	518	31.10.2000	221	13.11.2000	7600	1		2	Jon Killingstad, a Norwegian national, at Cologne (Germany)	Manager	Signatory with one other
4	419	11.12.2000	248	20.12.2000	8689	1		2	Michel Riva, from Walzenhausen, at Cologne (Germany)	Manager	Signatory with one other
						1		1	Peter Flury, from Nennigkofen, at Vuadens		Signatory with one other
						1		1	Yves Basson, from Riaz, at Bulle		Signatory with one other
						1		1	Jean-Pierre Bernhard, from Untervaz, at Mont-Pelerin	Auditors	Signatory with one other
						1		1	PirewaterhouseCoopers SA, at Geneva	Partner with a shareholding of CHF 800,000	Signatory with one other
						2		2	Du Pont NLO B.V., at Dordrecht, Netherlands	Manager	Sole signatory
						2		2	Patrick S. Schriber, from Lucerne, at Tannay (Vaud)	Partner with a shareholding of CHF 800,000	Signatory with one other
						3		3	Du Pont Performance Coatings Nederland B.V., at Breda, Netherlands	Partner with a shareholding of CHF 900,000	Signatory with one other
						4		4	Du Pont Performance Coatings Nederland B.V., at Breda, Netherlands	Partner with a shareholding of CHF 900,000	Signatory with one other
						4		4	Luke Henry Gillon, from Châttonay/Le Châtelard, at Villars-sur-Glâne	Manager	Signatory with one other
						4		4	Michel Riva, from Walzenhausen, at Cologne (Germany)	Manager	Signatory with one other
						4		4	Jon Killingstad, a Norwegian national, at Cologne (Germany)	Manager	Signatory with one other
									Certified true and accurate extract.		
									Bulle, 23 February 2001		
									Deputy Registrar J. Berthoud		
									[stamp]		

see next sheet

0112 f 4 96 6000 33700



## **EXTRAIT DU REGISTRE DU COMMERCE DE LA GRUYERE**

Numéro et date de l'inscription au journal : No 54, du 7.09.1959  
No 497, du 24.10.2000

Raison sociale : **DuPont Polymer Powders Switzerland SA**

Ancienne raison sociale : Plast-Labor S.A. et Herberts Polymer Powders S.A.

Nature juridique : Société anonyme

Date des statuts : 5.03.1956, mod. les 28.07.1959, 18.10.1963, 14.02.1966, 3.11.1989,  
22.12.1995 et 6.08.1999

Conseil d'administration :

- Dr Ulrich Wyss, de Berne et Herzogenbuchsee, à Charmey, adm. et président
- Luke Henri Gillon, de Châtonnaye/Le Châtelard, à Villars-sur-Glâne, adm.
- Michel Riva, de Walzenhausen/AR, à Charmey, adm.-délégué
- Jon Killingstad, de nationalité norvégienne, à Cologne (D), adm.

Capital-actions: Fr. 900'000.- divisé en 900 actions au porteur de Fr. 1'000.-,  
entièrement libéré

Reprise par fusion : actif : Fr. 2'335'264.10, passif : Fr. 13'000.- de la société anonyme  
Coathylène S.A., à Fribourg, selon contrat de fusion du 3.11.1989 et bilan au  
30.09.1989, selon art. 748 CO.

Siège : Bulle, rue St-Joseph 15

Organe de publicité : Feuille officielle suisse du commerce

**Organe de révision : PricewaterhouseCoopers S.A., à Genève**

Personnes ayant la signature :

- Dr Ulrich Wyss, adm. et président, sign. ind.
- Luke Henri Gillon, adm., sign. coll. à 2
- Peter Flury, de Nennigkofen, à Vuadens, vice-directeur, sign. coll. à 2
- Yves Bosson, de Riaz, à Bulle, fondé de pouvoirs, sign. coll. à 2
- Jean-Pierre Bernhard, d'Untervaz, au Mont-Pèlerin, fondé de pouv., sign. coll. à 2
- Michel Riva, adm-délégué, sign. ind.
- Jon Killingstad, adm., sign. coll. à 2

Publication FOOSC : 10 septembre 1959

3 novembre 2000, no 215, p. 7491

But Fabrication et commerce de produits chimiques et techniques, acquisition, développement et exploitation de patentes et marques déposées, ainsi que de méthodes de fabrication de l'industrie chimique et technique, exploitation d'affaires et d'industries de l'industrie chimique et technique et collatérale. La société peut, pour l'exécution de son but, aussi acquérir, gérer et négocier des propriétés foncières.

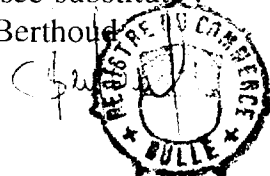
La société est dissoute, au sens des art. 738 et 824 ss CO, par suite de sa transformation, sans liquidation, en une société à responsabilité limitée constituée sous la raison sociale DuPont Polymer Powders Switzerland Sàrl. Décision de l'assemblée générale du 23.10.2000.

Pour extrait conforme.

Bulle, le 27 février 2001/jb

La Préposée-substituée :

J. Berthoud



commerce BULLE

ordre	Fiche	Nature juridique	Report du	Date de l'inscription	Date de la radiation
3	1	Société à responsabilité limitée		498/24.10.2000	
		Raison sociale ou nom	Siege	Domicile - Adresse	Ref. - Date des statuts
			10	11	12
		Polymer Powders Switzerland Sàrl	1	Bulle Rue St-Joseph 25	1 23.10.2000
			17	But, observations	
		Capital libéré	15	17	
		00'000.- CHF 900'000.-	1	1	
		Actions, prestations des associés, ressources		But : fabrication et commerce de produits chimiques et techniques, acquisition, développement et exploitation de patentes et marques déposées, ainsi que de méthodes de fabrication de l'industrie chimique et technique, exploitation d'affaires et d'industries de l'industrie chimique et technique et collatérale; elle peut, pour l'exécution de son but, aussi acquérir, gérer et négocier des propriétés foncières.	
		Apports en nature, reprise de biens, compensation de créances, avantages particuliers, responsabilité, versements supplémentaires		Organes de publicité, autorité de surveillance (fondation)	
		Information sans liquidation, au sens des art. 738 et 824 de la société anonyme "DuPont Polymer Powders Switzerland à Bulle, selon bilan de transformation au 31.12.1999, accusant un actif de CHF 22'952'625.- et un passif de CHF 6'508'433.- un actif net de CHF 16'444'192.-		10	
			1	10	
				FOSC	

TRADEMARK  
REEL: 002368 FRAME: 0750

Journal		Publication FOSC		No de référence		Associés, gérants, administrateurs, personnes ayant qualité pour signer		Indications personnelles, régime matrimonial		Fonction, parts sociale		Mode de signature	
No	Date	No	Date	Inscr.	Mod.	Rad.							
		24	25	27	28	29	30	31	32				
13	24.10.2000	215	3.11.2000	1		7		<del>Jon Killingsstad, de nationalité norvégienne, à Århaugveien 10, 1310 Bredtveit, Bredtveit</del>	<del>associée pour une part de CHF 999'000.-</del>	<del>sign. coll. à 2</del>			
14	30.10.2000	219	9.11.2000										
18	31.10.2000	221	13.11.2000	1		4 m		<del>Jon Killingsstad, de nationalité norvégienne, à Villars-sur-Glâne</del>	<del>associée pour une part de CHF 999'000.-</del>	<del>sign. coll. à 2</del>			
19	11.12.2000	248	20.12.2000	1		2		<del>Jon Killingsstad, de nationalité norvégienne, à Cologne (D)</del>	<del>associée pour une part de CHF 999'000.-</del>	<del>sign. coll. à 2</del>			
				1		2		<del>Jon Killingsstad, de nationalité norvégienne, à Cologne (D)</del>	<del>associée pour une part de CHF 999'000.-</del>	<del>sign. coll. à 2</del>			
				1		2		Michel Riva, de Walzenhausen, à Cologne (D)		gérant			
				1		1		Peter Flury, de Mennigkofen, à Vuadens		gérant			
				1		1		Yves Bossen, de Riaz, à Bulle		sign. coll. à 2			
				1		1		Jean Pierre Bernhard, d'Intervaz, au Mont-Pélerin		sign. coll. à 2			
				1		1		PricewaterhouseCoopers SA, à Genève		organe de révision			
				2		3		<del>Patrick S. Schriber, de Lucerne, à Lannay VD</del>	<del>associée pour une part de CHF 999'000.-</del>	<del>sign. coll. à 2</del>			
				2		2		Patrick S. Schriber, de Lucerne, à Lannay VD		gérant			sign. ind.
				3		4 m		<del>DuPont Performance Coatings Nederland B.V., à Breda, Pays-Bas</del>	<del>associée pour une part de CHF 999'000.-</del>	<del>sign. coll. à 2</del>			
								DuPont Performance Coatings Nederland B.V., à Breda, Pays-Bas		associée pour une part de CHF 900'000.-			
								Luke Henry Gillon, de Châttonnaye/Le Châtelard, à Villars-sur-Glâne		gérant			sign. coll. à 2
								Michel Riva, de Walzenhausen, à Cologne (D)		gérant			sign. coll. à 2
								Jon Killingsstad, de nationalité norvégienne, à Cologne (D)		gérant			sign. coll. à 2
								Extrait certifié conforme.					
								Bulle, le 23 février 2001.					
								La préposée-subst.: J. Berthoud					

voir fiche

No. 505/2001 of the Urkundenrolle

It is officially certified  
hereby that

Die vorstehende, heute vor mir  
anerkannte Unterschrift von

Susanne Scheid,  
wohnhaft in /resident in Büdingen,

- personally known to me -  
has signed this document.

- persönlich bekannt -  
wird hiermit beglaubigt.

The Notary Public confirms, that  
he has asked the participant if  
there has been a prior involvement  
in the meaning of § 3 section 1  
sentence 1 No. 7 BeurkG (Law of  
Notarization). This question was  
answered in the negative.

Der Notar versichert, daß er die  
Beteiligten nach einer Vorbe-  
fassung im Sinne des § 3 Abs. 1  
Satz 1 Nr. 7 BeurkG gefragt hat.  
Die Frage wurde verneint.

Frankfurt am Main, den 03. April 2001

**gez.: Friedrich**

Friedrich, Notar

Kostenrechnung :

Wert : 5.000,-- DM	
Gebühr §§ 141, 32, 45 Kost.O.	20,-- DM
Steuer 16 %	<u>3,20 DM</u>
	23,20 DM
	=====

387 Friedrich

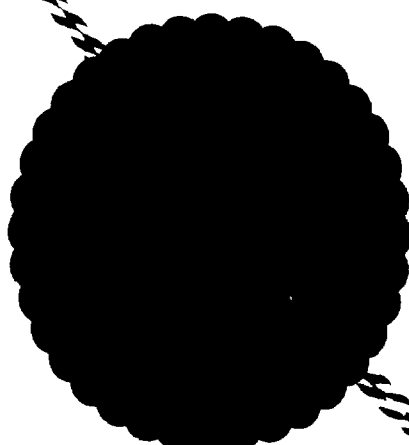
Notar

Vorstehende Ablichtung stimmt mit dem mir vorliegenden Original  
wörtlich überein.

The preceding photocopy corresponds word-for-word to the original  
document, which I have before me.

Frankfurt/Main, den 03. April 2001

Frankfurt/Main, this 3rd day of April, 2001



Friedrich, Notar/Notary Public