



10-30-2001

D

10-11-2001

U.S. Patent & TMO/TM Mail Rcpt Dt 17:



ARK OFFICE

101888913

IN RE APPLICATION OF

: Metallics Systems Co., L.P.

C

FOR THE MARK

: IMPERVITE

REGISTRATION NO.

: 1,908,012

101101

REGISTRATION DATE

: August 1, 1995

CLASS

: Int. Cls. 1 and 11

ATTORNEY DOCKET NO.

: MLC 5 007

Cleveland, Ohio 44114-2518
October 8, 2001

RECORDATION FORM COVER SHEET

Asst. Commissioner of Patents and Trademarks
Washington, DC 20231

Dear Sir:

Please record the attached original document or copy thereof.

1. Name of conveying Party(ies):

Metallics Systems Co., L.P.

Entity:

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

2. Name and Address of receiving Party(ies):

Name: Carbone Lorraine North America Corporation

Street Address: 14 Eastman Road

City/State: Parsippany, New Jersey ZIP: 07054

Entity:

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

CORRECTED

10/29/2001 TDIAZ1 00000128 1908012

01 FC:481

40.00 OP

1

M3

If assignee is not domiciled in the United States, a domestic representative designation is attached:

Yes No

(Designation must be a separate document from Assignment.)

3. Nature of Conveyance:

Assignment Change of Name
 Security Agreement Merger
 Other

Execution Date: August 14, 1998

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

Additional sheet attached? Yes No

A. Trademark Appl. No.(s) B. Trademark Reg. No.(s)
74/334,051 now 1,908,012

Additional numbers attached? Yes No

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

Name: Scott A. McCollister

Firm: Fay, Sharpe, Fagan, Minnich & McKee, LLP

Address: 1100 Superior Avenue, Seventh Floor

City/State: Cleveland, Ohio ZIP: 44114-2518

6. Total number of applications and registrations involved:

1

7. Total fee (37 C.F.R. 3.41): \$ 40.00

Enclosed
 Authorized to be charge to deposit account

8. Deposit Account Number (attach duplicate copy of this form if paying by Deposit Account):


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.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & MCKEE, LLP

October 9, 2001
Date



Scott A. McCollister
1100 Superior Avenue, Seventh Floor
Cleveland, OH 44114-2518
(216) 861-5582

Total number of pages including cover sheet, attachments, and document: 5

CERTIFICATE OF MAILING

I hereby certify that this **ASSIGNMENT** is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on October 9, 2001.

By: 

George B. George



FT M

THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Metallics Systems Co., L.P.

FOR THE MARK (6-29-01) : IMPERVITE

REGISTRATION NO. : 1,908,012

REGISTRATION DATE : August 1, 1995

CLASS : Int. Cls. 1 and 11

ATTORNEY DOCKET NO. : MLC 5 007

07-20-2001



101784830

Cleveland, Ohio 44114-2518

June 27, 2001

RECORDATION FORM COVER SHEET

Asst. Commissioner of Patents and Trademarks
Washington, DC 20231

Dear Sir:

Please record the attached original document or copy thereof.

1. Name of conveying Party(ies):

Metallics Systems Co., L.P.

Entity:

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

2. Name and Address of receiving Party(ies):

Name: Carbone Lorraine North Americal Corporation

Street Address: 14 Eastman Road

City/State: Parsippany, New Jersey ZIP: 07054

Entity:

- Individual(s) citizenship
- General Partnership
- Corporation-State New Jersey
- Other _____
- Association
- Limited Partnership

07/19/2001 6TON11 00000142 1908012

01 FC:481 40.00 OP
02 FC:482 25.00 OP

1

If assignee is not domiciled in the United States, a domestic representative designation is attached:

Yes No

(Designation must be a separate document from Assignment.)

3. Nature of Conveyance:

Assignment Change of Name
 Security Agreement Merger
 Other _____

Execution Date: August 14, 1998

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

Additional sheet attached? Yes No

A. Trademark Appl. No.(s)	B. Trademark Reg. No.(s)
<u>74/334,051</u> now _____	<u>1,908,112</u> _____
<u>560,182</u> now _____	<u>1,415,724</u> _____

Additional numbers attached? Yes No

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

Name: Scott A. McCollister
Firm: Fay, Sharpe, Fagan, Minnich & McKee, LLP
Address: 1100 Superior Avenue, Seventh Floor
City/State: Cleveland, Ohio ZIP: 44114-2518

6. Total number of applications and registrations involved:

1

7. Total fee (37 C.F.R. 3.41): \$ 65.00

Enclosed
 Authorized to be charge to deposit account

8. Deposit Account Number (attach duplicate copy of this form if paying by Deposit Account): _____
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.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & MCKEE, LLP

June 27, 2001

Date



Scott A. McCollister
1100 Superior Avenue, Seventh Floor
Cleveland, OH 44114-2518
(216) 861-5582

Total number of pages including cover sheet, attachments, and document: 5

CERTIFICATE OF MAILING

I hereby certify that this **ASSIGNMENT** is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on June 27, 2001.

By: 
Iris E. Nauth

ASSIGNMENT OF TRADEMARKS

In consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Metallics Systems Co. L.P., a Delaware limited partnership ("Assignor"), hereby sells, transfers and assigns to Carbone Lorraine North America Corporation, a New Jersey corporation, having a principal place of business at 14 Eastmans Road, Parsippany, New Jersey 07054 ("Assignee"), its successors, legal representatives and assigns, its entire right, title and interest, in and to the trademarks listed on Schedule A (the "Trademarks"), attached hereto, together with the right to file further applications in any country for the trademarks and to receive registrations therefor and the goodwill of the business symbolized or represented by such trademarks.

The Assignor and the Assignee shall sign all other documents which may be necessary or useful to give effect to the foregoing or to establish that the Assignor does not have any other right, title and interest in and to the trademarks.

Assignor further assigns to Assignee, its successors, legal representatives and assigns, any and all claims for damages by reason of past and continuing infringement of such trademarks and registrations, and the right to sue for and collect the same for its own use and benefit and for the use and benefit of its successors, legal representatives or assigns to the full end of the term for which said Trademarks are granted, as fully and entirely as the same would have been held and enjoyed by Assignor if this Assignment had not been made.

This Assignment is governed by, and interpreted and enforced in accordance with, the laws of the State of Delaware.

IN WITNESS WHEREOF, Assignor has executed this Assignment as of this 14th day of August, 1998.

METALLICS SYSTEMS CO. L.P.

By: Metallics Systems Co., its general partner

By: [Signature]
Richard C. Chandler, President

And by: [Signature]
Charles J. O'Toole, Secretary

STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA)

On this 14th day of August, 1998, before me a Notary Public personally appeared Richard C. Chandler and Charles J. O'Toole, known to me to be the persons who, as the President and Secretary, respectively, of Metallics Systems Co., a Delaware corporation, the corporation that executed the foregoing instrument as the general partner of Metallics Systems Co. L.P., a Delaware limited partnership, and acknowledged to me that they did so sign said instrument in the name and upon behalf of said corporation as such officers, and that the same is their free act and deed as such officers and the free act and deed of said corporation and partnership.

In witness whereof, I have hereunto set my hand and official seal this 14th day of August, 1998.

[Seal]

[Signature]
Notary Public PATRICK J. FLYNN, Attorney-At-Law
My commission expires: Notary Public, State of Ohio
My Commission has no expire. My Commission expires My Commission expires
Sec. 147.03 R.C.

SCHEDULE A
TO
ASSIGNMENT OF TRADEMARKS

U.S. TRADEMARKS

1. "IMPERVITE"
U.S. TM Reg. No. 1,908,012 Date: August 8, 1995 Renewal Date:
August 1, 2005
2. "IMPERVITE"
U.S. TM Reg. No. 1,415,724 Date: November 4, 1986 Renewal Date:
November 4, 2006

A-1

PC

ASSIGNMENT OF TRADEMARK

In consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Metaullics Systems Co. L.P., a Delaware limited partnership ("Assignor"), hereby sells, transfers and assigns to Carbone Lorraine North America Corporation, a New Jersey corporation, having a principal place of business at 14 Eastmans Road, Parsippany, New Jersey 07054 ("Assignee"), its successors, legal representatives and assigns, its entire right, title and interest, in and to the trademarks listed on Schedule A (the "Trademarks"), attached hereto, together with the right to file further applications in any country for the trademarks and to receive registrations therefor and the goodwill of the business symbolized or represented by such trademarks.

The Assignor and the Assignee shall sign all other documents which may be necessary or useful to give effect to the foregoing or to establish that the Assignor does not have any other right, title and interest in and to the trademarks.

Assignor further assigns to Assignee, its successors, legal representatives and assigns, any and all claims for damages by reason of past and continuing infringement of such trademarks and registrations, and the right to sue for and collect the same for its own use and benefit and for the use and benefit of its successors, legal representatives or assigns to the full end of the term for which said Trademarks are granted, as fully and entirely as the same would have been held and enjoyed by Assignor if this Assignment had not been made.

This Assignment is governed by, and interpreted and enforced in accordance with, the laws of the State of Delaware.

IN WITNESS WHEREOF, Assignor has executed this Assignment as of this 14th day of August, 1998.

METAUILLICS SYSTEMS CO. L.P.

By: Metaullics Systems Co., its general partner

By: [Signature]
Richard C. Chandler, President

And by: [Signature]
Charles J. O'Toole, Secretary

STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA)

On this 14th day of August, 1998, before me a Notary Public personally appeared Richard C. Chandler and Charles J. O'Toole, known to me to be the persons who, as the President and Secretary, respectively, of Metaullics Systems Co., a Delaware corporation, the corporation that executed the foregoing instrument as the general partner of Metaullics Systems Co. L.P., a Delaware limited partnership, and acknowledged to me that they did so sign said instrument in the name and upon behalf of said corporation as such officers, and that the same is their free act and deed as such officers and the free act and deed of said corporation and partnership.

In witness whereof, I have hereunto set my hand and official seal this 14th day of August, 1998.

[Seal]

[Signature]
Notary Public
My commission expires: Notary Public, State of OH
PATRICK J. FLYNN, Attorney-At-Law
My Commission has no expiration date
Sec. 147.03 F.C.

10-11-2001

U.S. Patent & TMO/ TM Mail Rcpt Dt 471

FORM 16-8

16-47

Practitioner's Docket No. MLC 5 007

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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

CORRECTION OF RECORDED COVER SHEET ERROR(S) (37 C.F.R. 3.34)

NOTE: See 37 CFR 3.34.

- 1. Applicant has noted an error in the cover sheet for the assignment(s) (document(s)) previously recorded on June 29, 2001
Date of recordal

Reel 002332 Frame 0607

- 2. Attached hereto is:
 - the originally recorded document.
 - a copy of the originally recorded document.
- 3. Also attached hereto is a corrected cover sheet for recordation.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

FACSIMILE

deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

transmitted by facsimile to the Patent and Trademark Office.

Georgeen B. George
Signature
Georgeen B. George
(type or print name of person certifying)

Date: 10/09/01

(Correction of Recorded Cover Sheet Error(s) [16-8]—page 1 of 2)

4. The error in the originally recorded cover sheet is apparent when that cover sheet is compared with the recorded document because:

Registrant inadvertently reflected the Registration No. as "1908112". However, the appropriate Registration No., as shown in the assignment document is "1908012".

5. The recording fee is shown in the corrected cover sheet filed herewith. Payment of this recording fee is in the manner set forth in the corrected cover sheet.

NOTE: "A fee is required for each application, patent and registration against which the document is recorded as identified in the cover sheet." 37 CFR 3.41



SIGNATURE OF PRACTITIONER

Reg. No.: 33,961

Scott A. McCollister

(type or print name of practitioner)

Tel. No.: (216) 861-5582

FAY, SHARPE, FAGAN, MINNICH & McKEE, LLP
1100 Superior Avenue, Seventh Floor

P.O. Address

Customer No.:

Cleveland, Ohio 44114-2518

(Correction of Recorded Cover Sheet Error(s) [16-8]—page 2 of 2)

SCHEDULE A
TO
ASSIGNMENT OF TRADEMARKS

U.S. TRADEMARKS

1. "IMPERVITE"
U.S. TM Reg. No. 1,908,012 Date: August 8, 1995 Renewal Date:
August 1, 2005

2. "IMPERVITE"
U.S. TM Reg. No. 1,415,724 Date: November 4, 1986 Renewal Date:
November 4, 2006

369827.2a

A-1

PC