

12-06-2001

RECORDATION FORM COVER SHEET

Docket No.:



# TRADEMARKS ONLY

1795-GEN

101908845

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

1. Name of conveying party(ies):  
**ALPHA ENTERPRISES, INC.**

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

Name: **NEXPAK CORPORATION**

Internal Address: \_\_\_\_\_

Street Address: **6370 Wise Avenue, NW**

City: **North Canton** State: \_\_\_\_\_ ZIP: **44720**

- Individual(s)
- General Partnership
- Corporation-State **Ohio**
- Other \_\_\_\_\_

- Individual(s) citizenship \_\_\_\_\_
- Association \_\_\_\_\_
- General Partnership \_\_\_\_\_
- Limited Partnership \_\_\_\_\_

12-03-2001

U.S. Patent & TMO/TM Mail Rpt Dt.

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

- Corporation-State **Delaware**
- Other \_\_\_\_\_

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

Execution Date: **November 16, 2001**

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

A. Trademark Application No.(s)

**75/870,980 75/869,129**

B. Trademark Registration No.(s)

**75/368,414 75/368,415 75/721,189**

Additional numbers attached?  Yes  No

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

Name: **Joseph A. Sebolt**

Internal Address: \_\_\_\_\_

**SAND & SEBOLT**

Street Address: **Aegis Tower, Suite 1100**

**4940 Munson Street, NW**

City: **Canton** State: **OH** ZIP: **44718**

6. Total number of applications and registrations involved: 5

7. Total fee (37 CFR 3.41):.....\$ **\$140.00**

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

**19-0083**

12/05/2001 6TON11 00000153 75870980

DO NOT USE THIS SPACE

01 FC:481 40.00 DP  
02 FC:482 100.00 DP

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.

**Joseph A. Sebolt**

Name of Person Signing

Signature

**11/27/01**

Date

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

TRADEMARK

REEL: 002403 FRAME: 0877

## ASSIGNMENT

WHEREAS **ALPHA ENTERPRISES, INC.**, an Ohio corporation having a business address of 6370 Wise Avenue, NW, North Canton, Ohio 44720, (hereinafter referred to as ASSIGNOR) is the owner of the entire right, title, and interest in the United States trademark and corresponding trademark applications and registrations shown in Attachment "A" hereto and is the record title holder of said trademarks; and

WHEREAS **NEXPAK CORPORATION**, a Delaware corporation having a business address of 6370 Wise Avenue, NW, North Canton, Ohio 44720, (hereinafter referred to as ASSIGNEE) is desirous of purchasing the entire right, title, and interest in said trademark and said trademark applications and registrations including the goodwill of the business symbolized by said trademark, and

WHEREAS, ASSIGNEE desires to obtain the legal title to said trademark;

NOW THEREFORE, in consideration of the premises and of One Dollar (\$1.00) and of other good and valuable consideration, the sufficiency of which is hereby expressly acknowledged, ASSIGNOR by these presents hereby assigns, transfers, conveys, and sets over unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title, and interest to and under said trademark, together with the goodwill of the business in connection with which said trademark was and is used, and all rights incident thereto;

Said ASSIGNOR hereby releases, assigns, and transfers unto said ASSIGNEE its successors, assigns and legal representatives, all right, title, and interest, claims and demands whatsoever said ASSIGNOR 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 ASSIGNEE 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 ASSIGNOR had this Assignment not been made.

Executed at N. CANTON, OHIO, this 11<sup>th</sup> day of NOVEMBER 2001.

ALPHA ENTERPRISES, INC.

ATTEST:

*James K. Sankey*  
Name: James K. Sankey

Title: CEO

*Tony L. Carpenter*

STATE OF OHIO  
COUNTY OF STARK

Before me, a Notary Public in and for Stark County, personally appeared James K. Sankey, 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 ALPHA ENTERPRISES, INC., for the purposes therein set forth.

Witness my signature and Official Seal at N. Canton, Ohio, this 11<sup>th</sup> day of November, 2001.

*Tony L. Carpenter*  
NOTARY PUBLIC



SEAL

ATTACHMENT "A"

DOCKET NO.	MARK	SERIAL NO.	FILING DATE	REG. NO.	REG. DATE
1007-BT	ALPHA PAK	75/368,414	10/06/97	2,286,313	10/12/99
1007-JU	SECURE CASE	75/368,415	10/06/97	2,291,650	11/09/99
1007-OA	SECURE CASE & DESIGN	75/721,189	06/03/99	2,415,316	12/26/00
1007-QT	MERCURY	75/870,980	12/13/99		
1007-QU	MERCURY & DESIGN	75/869,129	12/13/99		

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)**Applicant(s): **New Owner - NEXPAK CORPORATION**

Docket No.

1795-GEN

Serial No.  
See Attachment "A"

Filing Date

Examining Attorney

Law Office

Trademark: **ALPHA PAK; SECURE CASE; SECURE CASE & Design; MERCURY and MERCURY & Design**I hereby certify that this **Assignment***(Identify type of correspondence)*

is being deposited with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513 on:

11/27/01  
*(Date)***Fiona Ferguson***(Typed or Printed Name of Person Mailing Correspondence)*  
*(Signature of Person Mailing Correspondence)***Note: Each paper must have its own certificate of mailing.**

D

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER (GENERAL)  
(With Certificate of Mailing by First Class Mail)

Applicant/Registrant: **New Owner - NEXPAK CORPORATION** Docket No. **1795-GEN**  
 Serial No.: **See Attachment "A"**  
 Registration No.: **See Attachment "A"**  
 Trademark: **ALPHA PAK; SECURE CASE; SECURE CASE & Design; MERCURY and MERCURY**

TO THE ASSISTANT COMMISSIONER FOR TRADEMARKS:

Transmitted herewith is the following:

- Recordation Form Cover Sheet**
- Assignment**
- Certificates of Mailing**



12-03-2001

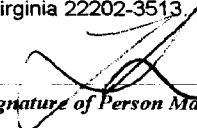
U.S. Patent & TMO/c/TM Mail Rpt Dt. #11

- No fee is required.
- Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_  
A duplicate copy of this sheet is enclosed.
- A check in the amount of **\$140.00** is attached.  
Any excess or insufficiency should be credited or debited to Deposit Account No. **19-0083**  
A duplicate copy of this sheet is enclosed.

  
 \_\_\_\_\_  
*Signature*

Dated: 11/27/01

**Joseph A. Sebolt, Reg. No. 35,352**  
**SAND & SEBOLT**  
 Aegis Tower, Suite 1100  
 4940 Munson Street, NW  
 Canton, Ohio 44718-3615

I certify that this document and fee is being deposited on 11/27/01 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513.   _____ <i>Signature of Person Mailing Correspondence</i>  <b>Fiona Ferguson</b> _____ <i>Typed or Printed Name of Person Mailing Correspondence</i>
--

CC:

W

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11/27/01  
*(Date)*

**Fiona Ferguson**

*(Typed or Printed Name of Person Mailing Correspondence)*

  
*(Signature of Person Mailing Correspondence)*

**Note: Each paper must have its own certificate of mailing.**

TM15/REV01

**TRADEMARK**

**RECORDED: 12/03/2001**

**REEL: 002403 FRAME: 0883**