

05-02-2002

4/18/02



To the Honorable Commissioner of Patents and Trade

102075006

nal documents or copy thereof.

1. Name of conveying party(ies):

Unilever N.V.

- ☐ Individual(s)
☐ General Partnership
☐ Corporation
☒ Other a Netherlands company

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

3. Nature of conveyance:

- ☒ Assignment
☐ Security Agreement
☐ Other

Execution Date: December 20, 2001

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

A. Trademark Application No.(s)
 75-489144, 76-295849, 76-295848

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

Name: Inverness Medical Switzerland GmbH

Internal Address: _____

Street Address: Ernst and Young AGBundesplatz 1City: Zug State: Switzerland ZIP: CH-6300

- ☐ Individual(s) citizenship _____
☐ Association _____
☐ General Partnership _____

☐ Limited Partnership _____☐ Corporation _____☒ Other a Swiss company _____

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 ☐ NoAdditional numbers attached? ☐ Yes ☒ No

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

Name: Charles E. WeinsteinInternal Address: Foley Hoag & Eliot LLPStreet Address: One Post Office SquareCity: Boston State: MA ZIP: 02109

6. Total number of applications and registrations involved: 3 applications and 10 registrations

7. Total fee (37 CFR 3.41): \$340.00

- ☐ Enclosed
☒ Authorized to be charged to deposit account

8. Deposit account number:

06-1446

(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.

Charles E. Weinstein
 Name of Person Signing

April 10, 2002

Date

Total number of pages comprising cover sheet: 1

I hereby certify that this correspondence is being deposited with the United States Postal Service in first class mail in an envelope addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513 on the date indicated below.

Printed Name: Bill Homan
 Signature: Bill Homan
 Date of Signature: April 10, 2002

TRADEMARK

REEL: 002498 FRAME: 0026

05/01/2002 TDIAZ1 00000081 061446 75489144

01 FC:481 40.00 CH

02 FC:482

300.00 CH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Registrant: Inverness Medical Switzerland GmbH
Mark: CLEARBLUE
Reg. No. 1,492,770
Reg. Date: June 21, 1988
Class: 5

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

Sir:

DESIGNATION OF DOMESTIC REPRESENTATIVE

Registrant hereby designates Charles E. Weinstein, Esq., Donna M. Weinstein, Esq., Susan Barbieri Montgomery, Esq., Thomas M.S. Hemnes, Esq., Bruce R. Parker, Esq., T. Maria Lam, Esq., John L. Welch, Esq. and W. Hugo Liepmann, Esq., members of the bar of The Commonwealth of Massachusetts, whose postal address is Foley, Hoag & Eliot LLP, One Post Office Square, Boston, Massachusetts 02109, as its representatives upon whom notice or process in proceedings affecting this application may be served.

Respectfully submitted,

Inverness Medical Switzerland GmbH

By: 

Name: Paul T. Hempel

Title: General Counsel, Duly Authorized

Date: APRIL 9, 2002

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513 on the date indicated below.

Printed Name: William Homan
Signature: William Homan
Date of Signature: April 10, 2002

TRADEMARK ASSIGNMENT

This Assignment is made by Unilever N.V. ("Assignor"), a company registered in the Netherlands, whose registered office is at Weena 455, 3013 AL, Rotterdam, Netherlands and to Inverness Medical Switzerland GmbH ("Assignee"), a company registered in Switzerland with corporate offices at Ernst and Young AG, Bundesplatz 1, KH-6300 Zug, Switzerland.

WHEREAS, Assignor has adopted, used and registered or applied to register the marks set out in the attached Schedule 1 (the "Marks").

WHEREAS, Assignor and Assignee have executed and delivered a Sale and Purchase Agreement dated as of December 20, 2001 (the "Agreement") whereby the Assignor assigned to the Assignee certain assets, including all right, title and interest in and to the Marks and the goodwill of the business connected with the use of and symbolized by the Marks effective as of December 20, 2001; and

WHEREAS, Assignor and Assignee wish to confirm and memorialize the assignment of the Marks for purposes of recording the assignment with the U.S. Patent and Trademark Office and perfecting the assignment;

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged:

Assignor hereby confirms the assignment from Assignor to Assignee of all right, title and interest in and to the Marks, including the U.S. registrations and applications for registration listed in the attached Schedule 1, and all registrations issuing thereon, and renewals thereof, together with the goodwill of the business connected with the use of and symbolized by the Marks, and the right to sue and recover for past infringement of the Marks.

Unilever N.V.

Date: 19th March, 2002

By: Nida Hope R D Heath
Name: N HOPE R D HEATH
Title: (Both duly authorized)

SCHEDULE 1

Registered Trademarks

<u>Trademark</u>	<u>Registration No.</u>	<u>Registration Date</u>
CLEAR PLAN	2,432,116	February 27, 2001
CLEAR PLAN EASY	2,423,900	January 23, 2001
CLEARBLUE	1,492,770	June 21, 1988
CLEARBLUE EASY	1,615,391	October 2, 1990
CLEARPLAN	1,496,356	July 19, 1988
CLEARPLAN EASY	1,858,107	October 11, 1994
CLEAR CP PLAN EASY (AND DESIGN)	2,411,236	December 5, 2000
CLEARVIEW (AND DESIGN)	1,566,723	November 21, 1989
CLEARVIEW (AND DESIGN)	1,902,081	June 27, 1995
UNIPATH RESEARCH QUALITY TESTED (AND DESIGN)	2,217,308	January 12, 1999

Trademark Applications

<u>Trademark</u>	<u>Application No.</u>	<u>Filing Date</u>
CLEAR CP PLAN EASY (AND DESIGN)	75-489,144	May 21, 1998
CLEARBLUE EASY FAMILY PLANNING MONITOR	76-295,849	August 6, 2001
CLEARPLAN EASY FAMILY PLANNING MONITOR	76-295,848	August 6, 2001