

06-10-2002



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COVER SHEET

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

TRADEMARKS ONLY

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

1. Name of conveying party(ies):

Melos Carl Boesch GmbH

*6-4-02*

- Individual(s)
- General Partnership
- Corporation-State (Rep. of Germany)
- Other
- Association
- Limited Partnership

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

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other Nunc Pro Tunc Assignment Effective
- Merger
- Change of Name

Execution Date: 10/20/2000

2. Name and address of receiving party(ies)

Name: PolyOne Werk Melos GmbH

Internal

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

Street Address: Bismarck Strasse 4-10

Rep. of Germany

City: Melle

State: ^ Zip: D-49324

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State Rep. of Germany
- 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

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

A. Trademark Application No.(s) \_\_\_\_\_

B. Trademark Registration No.(s) 2,492,500

Additional number(s) attached  Yes  No

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

Name: Meredith M. Wilkes, Esq.

Internal Address: Jones, Day, Reavis & Pogue

North Point

Street Address: 901 Lakeside Avenue

City: Cleveland

State: OH

Zip: 44114

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: \_\_\_\_\_

FINANCE SECTION  
JUN 11 11:58 AM '02

DO NOT USE THIS SPACE

9. Signature.

DBYRME 00000009 2492500

Debra L. Pejeau

Name of Person Signing

40.00 OP

*Debra L. Pejeau*  
Signature

*June 4, 2002*  
Date

18

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

06/10/2002

01 FC:481

2492500

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK EXAMINING OPERATION

In re Application of: Melos Carl Boesch GmbH

Serial No.: Not Yet Assigned

Filed: Herewith

\*Express Mail\* Mailing Label No EL486351886US

Mark: MELOS

Date of Deposit 9-28-00

Intl. Class: 1

I hereby certify that this paper or fees is being deposited with the United States Postal Service Express Mail Post Office to Addressee service under 37 CFR 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513

Attorney Docket: 350340265021

Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

By Deborah A. Satoran

**DESIGNATION OF DOMESTIC REPRESENTATIVE**

Sir:

I hereby designate the following as my domestic representative upon whom all notices or process in proceedings affecting the registration issuing hereon be served:

Meredith M. Wilkes, Esq.  
Jones, Day, Reavis & Pogue  
North Point  
901 Lakeside Avenue  
Cleveland, Ohio 44114  
(216) 586-3939

and appoint each of the following as my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Kenneth R. Adamo; Carmen R. Adams; David B. Cochran; Robert P. Ducatman; Regan J. Fay; F. Drexel Feeling; Timothy P. Fraelich; Calvin P. Griffith; Sheryl H. Love; David M. Maiorana; Timothy J. O'Hearn; Stephen D. Scanlon; H. Duane Switzer; Deborah B. Uluer; Michael W. Vary; James L. Wamsley; and Meredith M. Wilkes

all members of the bar of the State of Ohio and other states and all of the firm of Jones, Day, Reavis  
& Pogue, North Point, 901 Lakeside Avenue, Cleveland, Ohio 44114.

Respectfully submitted,

MELOS CARL <sup>BOESCH</sup> GmbH



Birger Kuck

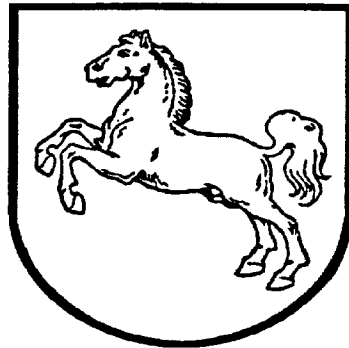
Managing Director

~~Oldendorfer Strasse 9~~ Bismarck Strasse 4-10

D-49324 Melle

GERMANY

Date: 09/21/00



Verhandelt

zu Melle

am 20. Oktober 2000.

Vor mir, dem unterzeichneten

**NOTAR HANS WEDEGÄRTNER**

mit dem Amtssitz in Melle,

erschien heute im Hause der  
Melos Carl Boesch GmbH, Bismarckstr. 4-10, 49324 Melle,  
wohin ich mich auf Ersuchen begeben hatte,  
weil die Beteiligten unabhkömmlich waren:

**Dipl.-Betriebswirt Martin Eiermann-Köhler**

geb. am 01.08.1957,

wohnhaft Fichtenstraße 80, 68353 Edingen-Neckarhausen

von Person bekannt,

handelnd nicht im eigenen Namen, sondern als alleinvertre-  
tungsberechtigter Geschäftsführer der **Hanna Deutschland**

GmbH mit dem Sitz in Gaggenau,

eingetragen im Handelsregister des Amtsgerichts Rastatt

HRB 1564



Der Notar fragte nach einer Vorbefassung im Sinne von § 3 Abs. 1 Nummer 7 des Beurkundungsgesetzes\*. Die Frage wurde verneint.

Der Erschienene bat um **Beurkundung** des folgenden Entschlusses der

**Gesellschafterversammlung der**

**Melos Carl Boesch GmbH, Melle,**

eingetragen im Handelsregister des Amtsgerichts Osnabrück unter HRB 1806.

Die Hanna Deutschland GmbH ist alleinige Gesellschafterin der im Handelsregister des Amtsgerichts Osnabrück unter HRB 1806 eingetragenen Melos Carl Boesch GmbH mit dem Sitz in Melle.

Unter Verzicht auf alle gesetzlichen oder gesellschaftsvertraglichen Formen und Frist der Ankündigung und Einberufung hält die Hanna Deutschland GmbH hiermit eine Gesellschafterversammlung der Melos Carl Boesch GmbH ab.

Es wird folgender Entschluss gefasst:

Die Firma der Gesellschaft wird geändert in

PolyOne Werk MELOS GmbH.

§ 1 Abs. 1 der Satzung erhält folgende Fassung:

§ 1

*Firma, Sitz und Gesellschaftszweck*

*(1) Die Gesellschaft führt die Firma*

---

\* Die Vorschrift bestimmt: Ein Notar soll an einer Beurkundung nicht mitwirken, wenn es sich um Angelegenheiten einer Person handelt, für die der Notar oder einer seiner Kollegen z. B. als Rechtsanwalt in derselben Angelegenheit bereits tätig war oder ist, es sei denn, diese Tätigkeit wurde im Auftrag aller Personen ausgeübt, die an der Beurkundung beteiligt sein sollen.



*PolyOne Werk MELOS GmbH*

Damit ist die Gesellschafterversammlung beendet.

**III. Kosten, Ausfertigungen**

Die Kosten dieser Urkunde und der Eintragung in das Handelsregister trägt die Gesellschaft.

Von dieser Urkunde erhalten die Gesellschaft und der Gesellschafter je eine beglaubigte Abschrift.

Eine 1. Ausfertigung erhält das Registergericht.

Diese Niederschrift wurde dem Erschienenen vorgelesen, von ihm genehmigt und eigenhändig, wie folgt, unterschrieben:

*Martin Nils*

*Martin Nils*

Bez.: Melos Carl Boesch GmbH,  
Bismarckstr. 4-10, 49324 Meile

In das Handelsregister Abt. B Nr. 1806 ist eingetragen worden:

Nr. der Eintragung	a) Firma b) Sitz c) Gegenstand des Unternehmens	Grund- oder Stammkapital DM	Vorstand Persönlich haftende Gesellschafter Geschäftsführer Abwickler	Prokura	Rechtsverhältnisse	a) Tag der Eintragung b) Bemerkungen
11	a) PolyOne Werk MELOS GmbH				Die Gesellschafterversammlung vom 20.10.2000 hat eine Änderung der Firma der Gesellschaft beschlossen und die Satzung entsprechend in § 1 geändert.	a) 15.12.2000
				Auf Anordnung Justizhilfsgestellte		

RS 164 Eintragungsschein HR B (6. 02)

CERTIFIED EXTRACT

NUMBER 971 OF THE DOCUMENT REGISTER FOR THE YEAR 2000

(design)

Dealt with

in Melle

on October 20, 2000.

Before me, the undersigned

NOTARY, HANS WEDEGÄRTNER

with office address in Melle,

there appeared today at the house of

Melos Carl Boesch GmbH, Bismarckstr. 4-10, 49324 Melle,

where I also appeared, upon request,

because the participants were unavailable:

**Graduate-Management Expert Martin Eiermann-Köhler**

born on 01.08.1957,

residence: Fichtenstrasse 80, 68353 Edingen-Neckarhausen

personally known to me,

negotiating not in his own name, but rather as an appointed, sole

representative chief executive officer of **Hanna Deutschland GmbH**

with its head office address in Gaggenau, recorded in the business

register of the District Court in Osnabrück HRB 1564.



Page 2 of the document of the notary Hans Wedegärtner

The notary asked about a preliminary version in the sense of § 3, paragraph 7, number 7 of the certification law\*. The question was answered in the negative.

The applicant requested a certification of the following decision of the

**Shareholders Meeting of  
Melos Carl Boesch GmbH, Melle,**

recorded in the business register of the Osnabrück District Court, under HRB 1806.

The Hanna Deutschland GmbH is the sole shareholder of Melos Carl Boesch GmbH with its head office in Melle, which is entered in the Business Register of the Osnabrück District Court under HRB 1806.

While renouncing all legal or corporate forms and periods for announcement and summoning, Hanna Deutschland GmbH hereby holds a shareholder meeting of Melos Carl Boesch GmbH.

The following decision was taken:

The name of the company is changed to:

PolyOne Werk MELOS GmbH.

§ 1, paragraph (1) of the Constitution contains the following:

§ 1

**Name and Head Office and Corporate Purpose**

*(1) The Corporation directs the company*

---

\* The regulation requires that a notary shall not take part in a certification when it has to do with a matter involving a person for whom the notary or one of his colleagues is or has already been involved in the same matter, for example as legal representative, unless this activity was carried out on behalf of all persons that should participate in the certification.

Page 3 of the document of the notary Hans Wedegärtner

***PolyOne Werk MELOS GmbH***

With this, the shareholders meeting is terminated.

**III. Costs, Issuance**

The corporation covers the costs of this document and its recordal in the Business Register.

The corporation and the shareholder each receive a certified copy of this document.

A top copy will be received by the Court Register.

**The present copy was read by the applicant, was approved by him, and signed, as below, with his own hand:**

(signature)

Translation of stamp on the reverse of page 3.

I hereby certify the verbal identity between the  
overleaf copy and the original document which  
I have to hand.....

\_\_\_\_\_ (the) \_\_\_\_\_  
(place) (date)

**District Court Osnabrück**

Re: Melos Carl Boesch GmbH,  
Bismarckstr. 4-10, 49324 Melle

Part B in the Business Register, No. 1806,		the following is entered:		Facts of the case		a) Date of Entry b) Remarks	
Number of Entry	a) Corporation b) Head Office c) Purpose of Company	Basic or Seed Capital DM	Board of Directors Personal Responsibility Shareholder Business Manager Wind-up	Representative			
11	a) PolyOne Werk MELOS GmbH					The shareholder meeting of 20.10.2000 passed a change in the name of the company, and correspondingly amended the address in § 1. Signature	a) 15.12.2000

**Amtsgericht** — Osnabrück

Betr.: Melos Carl Boesch GmbH,  
Bismarckstr. 4-10, 49324 Melle

Nr. der Eintragung	In das Handelsregister Abt. B Nr. 1806	Ist eingetragen worden:	Vorstand Persönlich haftende Gesellschafter Geschäftsführer Abwickler	Prokura	Rechtsverhältnisse	a) Tag der Eintragung b) Bemerkungen
11	a) Firma b) Sitz c) Gegenstand des Unternehmens	1806			Die Gesellschafterversammlung vom 20.10.2000 hat eine Änderung der Firma der Gesellschaft beschlossen und die Satzung entsprechend in § 1 geändert.	a) 15.12.2000
	a) PolyOne Werk MELOS GmbH				<p><i>Auf Anordnung Ausstellungsstelle</i></p>	

RS 164 Eintragungsforschritt HR 8 (k. 05)

**CERTIFIED EXTRACT**

**NUMBER 971 OF THE DOCUMENT REGISTER FOR THE YEAR 2000**

(design)

Dealt with

in Melle

on October 20, 2000.

Before me, the undersigned

**NOTARY, HANS WEDEGÄRTNER**

with office address in Melle,

there appeared today at the house of

Melos Carl Boesch GmbH, Bismarckstr. 4-10, 49324 Melle,

where I also appeared, upon request,

because the participants were unavailable:

**Graduate-Management Expert Martin Eiermann-Köhler**

born on 01.08.1957,

residence: Fichtenstrasse 80, 68353 Edingen-Neckarhausen

personally known to me,

negotiating not in his own name, but rather as an appointed, sole

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\* The regulation requires that a notary shall not take part in a certification when it has to do with a matter involving a person for whom the notary or one of his colleagues is or has already been involved in the same matter, for example as legal representative, unless this activity was carried out on behalf of all persons that should participate in the certification.

Page 3 of the document of the notary Hans Wedegärtner

***PolyOne Werk MELOS GmbH***

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The corporation and the shareholder each receive a certified copy of this document.

A top copy will be received by the Court Register.

**The present copy was read by the applicant, was approved by him, and signed, as below, with his own hand:**

(signature)




Translation of stamp on the reverse of page 3.

I hereby certify the verbal identity between the overleaf copy and the original document which I have to hand.....

\_\_\_\_\_ (the) \_\_\_\_\_  
(place) (date)

I the undersigned, Thomas T. Rieder, hereby certify that I am familiar with the English and German languages, and that the foregoing English translation of the Certified Extract No. 971 of the Document Register for the Year 2000 is an exact rendering of the original German document, which I have seen.

Toronto, Canada, this 29<sup>th</sup> day of May, 2002.

  
\_\_\_\_\_  
Thomas T. Rieder

**District Court Osnabrück**

F-109

T-313 P. 07/07

4169851183

Re: Melos Carl Boesch GmbH,  
Bismarckstr. 4-10, 49324 Melle

the following is entered:

1806,

Part B in the Business Register, No.

Number of Entry	a) Corporation b) Head Office c) Purpose of Company	Basic or Seed Capital DM	Board of Directors Personal Responsibility Shareholder Business Manager Wind-up	Representative	Facts of the case	a) Date of Entry b) Remarks
11	a) PolyOne Werk MELOS GmbH				The shareholder meeting of 20.10 2000 passed a change in the name of the company, and correspondingly amended the address in § 1	a) 15.12 2000
					Signature	

May-30-02 10:26am From-SIM MCBURNEY

**TRADEMARK**

REEL: 002521 FRAME: 0736

JONES, DAY, REAVIS & POGUE

NORTH POINT • 901 LAKESIDE AVENUE

CLEVELAND, OHIO 44114-1190

TELEPHONE: 216-586-3939 • FACSIMILE: 216-579-0212

WRITER'S DIRECT NUMBER:

(216) 586-7387

dlpejeau@jonesday.com

259360:dlp  
701213-265-021

June 4, 2002

**Express Mail Label No.** EL821235051US

**Date of Deposit - June 4, 2002**

U.S. Patent and Trademark Office  
Assignment Division  
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Washington, D.C. 20231

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service under 37 CFR 1.10 on the date indicated  
above and is addressed to: United States PTO,  
Assignment Division, Box Assignments, CG-4,  
1213 Jefferson Davis Highway, Suite 320,  
Washington, D.C. 20231.*

Attn: Kimberly White, Examiner  
Office of Public Records

By Debra L. Pejeau

Re: United States Trademark: MELOS  
Document ID No.: 101945049  
Attorney Docket No.: 350340265021

Dear Ms. White:

Please record the enclosed document indicating that Trademark Registration No. 2,492,500 registered September 25, 2001 in International Class 1, along with the goodwill of the business associated therewith, is now owned by PolyOne Werk Melos GmbH, a corporation of Germany, by virtue of the change of name from Melos Carl Boesch GmbH. As requested by you in the Notice of Non-Recordation of Document dated March 5, 2002, this name change is evidenced by the enclosed document and accompanying translation into English. The translation is signed by the translator.

A new cover sheet reflecting the correct information and the filing fee of \$40.00 are enclosed.

Respectfully submitted,

Debra L. Pejeau

Debra L. Pejeau  
Patent and Trademark Assistant

Enclosures

cc: Ms. Linda J. Albert (w/encl.)  
Meredith M. Wilkes, Esq. (w/o encl.)

CL: 650342v2

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MENLO PARK • MILAN • MUMBAI • NEW DELHI • NEW YORK • PARIS • PITTSBURGH • SHANGHAI • SINGAPORE • SYDNEY • TAIPEI • TOKYO • WASHINGTON  
\*ASSOCIATE FIRM

RECORDED: 06/04/2002

TRADEMARK  
REEL: 002521 FRAME: 0737