

6-10-03

06-13-2003

Form PTO-1594

(Rev. 03/01)

OMB No. 0651-0027 (exp. 5/31/2002)

Tab settings ⇨ ⇨ ⇨ ▼ ▼ ▼

RECORDATIC  
TRADE

102472052

MENT OF COMMERCE  
nt 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):

Tillotson Healthcare Corporation

- ☐ Individual(s) ☐ Association  
☐ General Partnership ☐ Limited Partnership  
☒ Corporation-State NH  
☐ Other \_\_\_\_\_

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

## 3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: April 30, 2003

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

Name: Dynarex Corporation

Internal

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

Street Address: Ten Glenshaw Street

City: Orangeburg State: NY Zip: 10962

- ☐ Individual(s) citizenship \_\_\_\_\_  
☐ Association \_\_\_\_\_  
☐ General Partnership \_\_\_\_\_  
☐ Limited Partnership \_\_\_\_\_  
☒ Corporation-State New York  
☐ 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)

76-200,611

76-356,907

B. Trademark Registration No.(s)

See Exhibit A

Additional number(s) attached ☐ Yes ☒ No

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

Name: Mark A. Wright

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

McLane, Graf, Raulerson &amp;

Middleton, P.A.

Street Address: 900 Elm Street

City: Manchester State: NH Zip: 03101

## 6. Total number of applications and registrations involved: 11

7. Total fee (37 CFR 3.41).....\$ 290.00

- ☒ Enclosed  
☐ Authorized to be charged to deposit account

## 8. Deposit account number: \_\_\_\_\_

(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.

Mark A. Wright

Name of Person Signing

Signature

Date

5/30/03

5

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

06/12/2003 00:00:00

01 FC:8521  
02 FC:852240.00  
250.00

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

TRADEMARK  
 REEL: 002752 FRAME: 0702

**Exhibit A**

**Trademark Registration Nos.**

1,995,911  
1,997,354  
1,922,822  
1,939,023  
1,993,853  
1,941,675  
2,123,852  
2,465,184  
2,621,727

## CONFIRMATORY ASSIGNMENT

This Confirmatory Assignment is made this 30<sup>TH</sup> day of APRIL, 2003, by and between Tillotson Healthcare Corporation (the "Seller") and Dynarex Corporation (the "Buyer");

WHEREAS, Seller, Buyer and Thomas N. Tillotson ("TNT") are parties to that certain Asset Purchase Agreement dated as of December 31, 2002 ("Purchase Agreement");

WHEREAS, pursuant to the Purchase Agreement, Seller and Buyer executed a Bill of Sale, Assignment and Assumption Agreement dated February 3, 2003 ("Assignment") relating to certain assets;

WHEREAS, Exhibit C to the Assignment purported to list all of the trademarks of the Seller which Buyer was to acquire;

WHEREAS, the Seller and Buyer acknowledge and agree that Exhibit C failed to list the trademarks and registrations set forth on Schedule 1 attached hereto (the "Trademarks and Registrations");

WHEREAS, the Buyer and Seller desire to execute this Confirmatory Assignment in order to transfer all right, title and interest in and to the Trademarks and Registrations, all in accordance with the terms set forth in the Purchase Agreement and Assignment.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Seller does hereby assign, sell, transfer and set over to Buyer, its successors and assigns, all right, title and interest throughout the United States, its territories and all foreign countries in and to the Trademarks and Registrations; together with the goodwill of the business symbolized by said Trademarks and Registrations, and all rights of action and recovery for past, present and future infringements thereof for the full term and all subsequent terms of the Registrations as fully and entirely as the same would have been held and enjoyed by the Seller had this assignment not been made.

This Confirmatory Assignment is delivered pursuant to and on the terms set forth in the Purchase Agreement and Assignment. Nothing contained in this Confirmatory Assignment shall be deemed to alter, modify, expand or diminish the terms contained in the Purchase Agreement or Assignment, except that this document shall operate to transfer ownership of the Trademarks and Registrations to Buyer.

Seller hereby requests the U.S. Commissioner of Patents and Trademarks to record Buyer as assignee of the United States Trademark Registrations listed above for the sole use and enjoyment of Buyer, its successors and assigns.

TILLOTSON HEALTHCARE CORPORATION

By: 

Name: Thomas N. Tillotson

Title: Chief Executive Officer

ACCEPTED AND AGREED TO:

DYNAREX CORPORATION

By: 

Name: George Deutsch

Title: Chief Executive Officer

M:\DATA\6\68297\maw\00208829.DOC

# SCHEDULE 1

<u>Trademark</u>	<u>U.S. Application</u>	<u>U.S. Registration No.</u>
COMFORT GUARD		1,995,911
COTTON PLUS		1,997,354
MULTI CARE		1,922,822
NEW WEAVE		1,939,023
POLY STRETCH		1,993,853
STERILE CARE		1,941,675
VIEW GUARD		2,123,852
SENSI GRIP		2,465,184
ACCUTOUCH		2,621,727
PRESERVE	76-200,611	
TRUE ADVANTAGE	76-356,907	