

FORM PTD-1588
U.S. DEPARTMENT OF COMMERCE
1-31-02

REGISTRATION FORM COVER SHEET

TRADEMARKS ONLY

Patent and Trademark Office

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

<p>1. Name of Conveying party(ies): SERA-AQUARISTIK GMBH</p> <p><input type="checkbox"/> Individual(s) <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Corporation-State <input checked="" type="checkbox"/> Other - German Limited Liability Company</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies): Name: SERA-AQUARISTIK GMBH Street Address: POSTFACH 1101 City: HEINSBERG Country: GERMANY ZIP 5138</p> <p><input type="checkbox"/> Individual(s) citizenship _____ <input type="checkbox"/> Association _____ <input type="checkbox"/> General Partnership _____ <input type="checkbox"/> Limited Partnership _____ <input type="checkbox"/> Corporation _____ <input checked="" type="checkbox"/> Other German Limited Liability Company _____</p>
<p>3. Nature of conveyance: <input type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input checked="" type="checkbox"/> Other - (Correction of Registrant name recorded under Reel/Frame No. 1621/0153). Please see attached Declaration</p> <p>Execution Date: 12/02/03</p>	<p>If assignee is not domiciled in the United States, a domestic representative is attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>

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

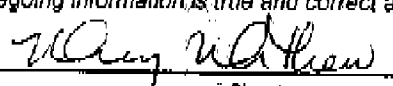
A. Trademark Application No.(s)	B. Trademark Registration No.(s) SFRA - 1,558,726
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Additional numbers attached? Yes No

<p>5. Name and address of party to whom correspondence should be mailed:</p> <p>Name: Collard & Roe, P.C. Internal Address: _____ Street Address: 1077 Northern Boulevard City: Roslyn State: NY ZIP: 11576</p>	<p>6. Total number of applications and registrations involved: 1</p> <p>7. Total fee (37 CFR 3.41): \$ 40.00</p> <p><input type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account</p> <p>8. Deposit account number: 03-2468</p>
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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.

Mary S. Mathew  **1/2/04**
Name of Person Signing Signature Date

OMB No. 0851-0011 (exp. 4/04)

Total number of pages comprising cover sheet: 2

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TRADEMARK
REEL: 002776 FRAME: 0273

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Sera-Aquaristik GmbH

REG. NO: 1,558,726

MARK: SERA

INTERNATIONAL
CLASSES: 5, 16, 31DECLARATION TO CLARIFY OWNERSHIP

Mr. Josef Ravnak, hereby declares the following:

THAT, he/~~she~~ is the managing director of Sera-Aquaristik GmbH, the Registrant herein;

THAT, he/~~she~~ is authorized to give this Declaration on behalf of the Registrant;

THAT, he/~~she~~ is fully aware of Registrant's use of the trademark SERA, of the business and products promoted under the trademark, and the field of the relevant goods;

THAT, the registration herein was granted in the name Sera-Aquaristik GmbH on October 3, 1989.

THAT, the registration herein was erroneously included as part of an unrelated third-party Assignment recordation between Chemical Bank and American Recreation Company, Inc. The erroneous transfer of the registration herein was recorded on July 28, 1997 under Reel/Frame number 1624/0153 with the U.S. Patent and Trademark Office ("PTO"). Applicant encloses a copy of the Trademark Assignment Abstract of Title as Exhibit A.

THAT, the third parties who erroneously included the registration herein, Chemical Bank and American Recreation Company, Inc., did not correct its error and therefore, the registration herein continues to be in the wrong party's name according to the PTO records;

THAT, Applicant wants to confirm that the registration herein has always been owned by Sera-Aquaristik GmbH, it should not have been part of the transfer recordation under Reel/Frame Number 1624/0153, the ownership is not in the name of American Recreation Company, Inc., and ownership should never have been altered to reflect any other party besides Sera-Aquaristik GmbH.

THAT, all statements made herein of his/her own knowledge are true and that all statements made upon information and belief and believed to be true and further, that the statements are made with the knowledge that willful false willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this registration or documents or any related resulting therefrom.

SERA-AQUARISTIK GMBH

By: 

Name: Josef Ravnak

Title: managing director

Date: 12/2/03

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Sera-Aquaristik GmbH

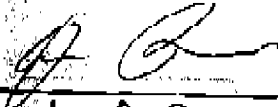
MARK: SERA

REG. NO: 1,558,726

SUBSTITUTE POWER OF ATTORNEY

Applicant hereby appoints COLLARD & ROE, P.C., a firm composed of STEWART J. BELLUS, and MARY MATHFW, attorneys at law, of 1077 Northern Boulevard, Roslyn, New York 11576, (516) 365-9802, to prosecute this registration, with full power of substitution and revocation, to transact all business in the Patent and Trademark Office in connection therewith, to represent Applicant in any opposition proceeding and to receive the Certificate of Registration.

Sera-Aquaristik GmbH

By: 
Name: Josef Ravnak
Title: managing director

Date: 12/2/03

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