

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark OfficeRECORDATION FORM COVER SHEET
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):

Elmore Corporation

Individual(s) Association
 General Partnership Limited Partnership
 Corporation - North Carolina
 Other

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

2. Name and Address of receiving party(ies)

Name: B. Blumenthal & Company Inc.

Address: c/o Blumenthal/Lansing LLC
One Palmer Terrace
Carlstadt, NJ 07072

Individual(s) citizenship _____
 Association _____
 General Partnership _____
 Limited Partnership _____
 Corporation - 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

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name

Nunc Pro Tunc Assignment effective December 1, 1994
which will correct and replace the assignment document filed in
error on March 6, 1989 at reel 0640, frame 0895.

Execution Date: February 9, 2004

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

A. Trademark Application No.(s):

B. Trademark Registration No.(s): 0237163

Additional numbers attached? Yes No5. Name and address of party to whom correspondence
concerning document should be mailed:

Hayley M. Smith
Senior Legal Assistant
Kirkland & Ellis
153 East 53rd Street
New York, NY 10022-4675
Telephone (212) 446-4800
Fax (212) 446-4900

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41)..... \$ 40
 Enclosed To be Charged to Deposit Account

8. Deposit Account No. 111098

(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.*

Hayley M. Smith
Name of Person Signing

Hayley Smith
Signature

Feb. 18, 2004
Date

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

Mail documents to be recorded with required cover sheet information to
Commissioner of Patents and Trademarks, Box Assignments, Washington D.C. 20231

Feb-12-04 11:19am From-INTELPROP 1509

9408871

T-797 P.03/05 F-949

NUNC PRO TUNC TRADEMARK ASSIGNMENT

WHEREAS, Blumenthal Lansing Company, a Delaware corporation, as the successor-in-interest to Elmore Corporation, a North Carolina corporation, and B. Blumenthal & Company Inc., a New York corporation, (hereinafter, "**Assignee**") was the owner of the United States trademark registration set forth on **Schedule A**, attached hereto, together with the goodwill of the business associated therewith, (the "**Mark**");

WHEREAS, SpinRite Inc., a Canadian corporation, is desirous of acquiring the **Mark**, together with the goodwill of the business associated therewith; and

NOW, THEREFORE, effective as of **December 1, 1994** (the "**Effective Date**"), for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby confirms that it has sold, assigned, transferred and set over to Assignee the entire right, title and interest in and to the **Mark**, for the United States and for all foreign countries, including, without limitation, any registrations and applications therefor, any renewals and extensions of the registrations, and all other corresponding rights that are or may be secured under the laws of the United States or any foreign country, now or hereafter in effect, for Assignee's own use and enjoyment, and for the use and enjoyment of Assignee's successors, assigns or other legal representatives, as fully and entirely as the same would have been held and enjoyed by Assignor if this Assignment had not been made, together with all income, royalties or payments due or payable as of the **Effective Date** or thereafter, including, without limitation, all claims for damages by reason of past, present or future infringement or other unauthorized use of the **Mark**, with the right to sue for, and collect the same for Assignee's own use and enjoyment and for the use and enjoyment of its successors, assigns or other legal representatives.

Assignor hereby requests the Commissioner of Patents and Trademarks to record Assignee as the assignee and owner of the **Mark**.

* * * * *

Feb-12-04 11:20am From-INTELPROP 1508

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IN WITNESS WHEREOF, Assignor has caused this **Nunc Pro Tunc Trademark** Assignment to be executed by its duly authorized representative on the 9th day of February, 2004.

BLUMENTHAL LANSING COMPANY
(as successor-in-interest to Elmore Corporation)

By: 
Edward F. Cooke
President

SCHEDULE A

U.S. TRADEMARK REGISTRATIONS

| Mark | Registration No. | Registration Date |
|-----------------|-------------------------|--------------------------|
| LILY (Stylized) | 237163 | 1/3/28 |