

9/8/03

09-25-2003



Form PTO-1594

(Rev. 10/02)

OMB No. 0651-0027 (exp. 6/30/2005)

Tab settings

OFFICE 0

102558941

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

2003 SEP 23 AM 10:28

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

1. Name of conveying party(ies)

Lancaster Laboratories, LLC

- Individual(s)
- General Partnership
- Corporation-State
- Other Limited liability company-Delaware
- Association
- Limited Partnership

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

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other (see attached)
- Merger
- Change of Name

Execution Date: 12/21/2000

2. Name and address of receiving party(ies)

Name: Lancaster Laboratories, Inc.

Internal

Address: P.O. Box 12425

Street Address: 2425 New Holland Pike

City: Lancaster State: PA Zip: 17605-2425

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State Minnesota
- 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) 1,208,254

Additional number(s) attached Yes No

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

Name: Scott F. Landis, Esquire

Internal Address: Barley, Snyder, Senft & Cohen,

LLC

Street Address: 126 East King Street

City: Lancaster State: PA Zip: 17602-2893

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:

9. Signature.

Scott F. Landis

Name of Person Signing

Signature

9/4/03

Date

Total number of pages including cover sheet, attachments, and document: 12

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

TRADEMARK
REEL: 002829 FRAME: 0989

09/24/2003

01 FC:8521

40.00 BP

DO NOT USE THIS SPACE

This recordation is being filed to correct the transposition of numbers in the registration number, previously recorded on 3/11/2003 at reel number 002690 and frame number 0953.

03-14-2003

Form PTO-1594 (Rev. 10/02) 3-11-03 RECC TF OMB No. 0651-0027 (exp. 6/30/2005) Tab settings



102390326

DEPARTMENT OF COMMERCE U.S. Patent 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): Lancaster Laboratories, LLC

- Individual(s) Association General Partnership Limited Partnership Corporation-State Other Limited liability company-Delaware

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

3. Nature of conveyance:

- Assignment Merger Security Agreement Change of Name Other

Execution Date: 12/21/2000

2. Name and address of receiving party(ies)

Name: Lancaster Laboratories, Inc. Internal Address: P.O. Box 12425

Street Address: 2425 New Holland Pike

City: Lancaster State: PA Zip: 17605-2425

- Individual(s) citizenship Association General Partnership Limited Partnership Corporation-State Minnesota 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) 1,208,245

Additional number(s) attached Yes No

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

Name: Scott F. Landis, Esquire

Internal Address: Barley, Snyder, Senft & Cohen, LLC

Street Address: 126 East King Street

City: Lancaster State: PA Zip: 17602-2893

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:

OFFICE OF PUBLIC RECORDS 2003 MAR 11 AM 7:45 FINANCE SECTION

DO NOT USE THIS SPACE

9. Signature.

Scott F. Landis Name of Person Signing

Signature

3/11/03 Date

Total number of pages including cover sheet, attachments, and document: 3

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

03/18/2003 6TOM11 00000129 1206245

01 FC:0521

40.00 00

TRADEMARK REEL: 002829 FRAME: 0991

TRADEMARK ASSIGNMENT

THIS TRADEMARK ASSIGNMENT made as of the 21st day of December, 2000, by and between LANCASTER LABORATORIES, LLC, a Delaware limited liability company, successor by merger to THERMO ANALYTICAL, INC., a Delaware corporation (the "Assignor") and LANCASTER LABORATORIES, INC., a Minnesota corporation (the "Assignee"), having its principal place of business at 2425 New Holland Pike, P.O. Box 12425, Lancaster, Pennsylvania, 17605-2425.

RECITALS:

- A. Thermo Analytical, Inc. is the record owner of the trademark registration ("Trademark") listed on Schedule "A" attached hereto; and
- B. Lancaster Laboratories, LLC, as successor by merger, has elected to transfer all of its right, title, and interest in and to that Trademark to Assignee.

AGREEMENT:

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and intending to be legally bound hereby, Assignor hereby sells, assigns, and transfers unto Assignee its entire rights, title, and interest in and to that Trademark listed on Schedule "A" attached hereto, together with the goodwill of the business symbolized by the trademark registration, together with all claims for damages by reason of past infringement of said trademark, with the right to sue for and collect the same for its own use and enjoyment, and for the use and enjoyment of its successors, assigns, or other legal representatives. Assignor hereby covenants and agrees to and with said Assignee, its successors, legal representatives, and assigns, that, at the time of execution and delivery of these presents, Lancaster Laboratories, LLC is transferring to Lancaster Laboratories, Inc. all of its right, title, and interest in and to the Trademark listed on Schedule "A" and the same is unencumbered and the Assignor has good and full right and lawful authority to sell and convey the same in the manner set forth herein. Assignor hereby warrants and represents to Assignee that no other person, firm, or corporation has been granted any rights by Assignor in respect of the Trademark listed on Schedule "A."

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year first above written.

ATTEST:

John A. Piccino
(Corporate Seal)

LANCASTER LABORATORIES, LLC.

By: Kenneth J. Apicerno
Kenneth J. Apicerno, Treasurer

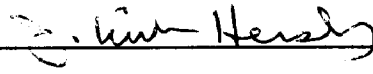
ATTEST:

LANCASTER LABORATORIES, INC.



(Corporate Seal)

By: _____



SCHEDULE "A"

TRADEMARK

REGISTRATION NO.	MARK
1,208,254	LL (Stylized)

UNITED STATES PATENT AND TRADEMARK OFFICE

REGISTRATION NO: 1,208,254

12/26/02

REGISTRANT: Lancaster Laboratories, Incorporated

CORRESPONDENT ADDRESS:

Scott F. Landis
BARLEY, SNYDER, SENFT & COHEN, LLC
126 East King Street
Lancaster, PA 17602

RETURN ADDRESS:

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513
TMPostRegistration@uspto.gov

MARK: LL

CORRESPONDENT'S REFERENCE/DOCKET NO: N/A

Please provide in all correspondence:

CORRESPONDENT EMAIL ADDRESS:

LLA

1. Registration date, registration number, mark and registrant's name.
2. Date of this Office Action.
3. Examiner's name and Post Registration Division.
4. Your telephone number and e-mail address.

POST REGISTRATION OFFICE ACTION

RE: Registration Number 1,208,254

The Combined Section 8 Affidavit and Section 9 Renewal Application submitted on 09-16-2002 is **refused** for the following reason(s):

The Trademark Act requires that the current owner of the registration file the Section 8 Affidavit. 15 U.S.C. §1158. It is unclear whether the party who filed the Section 8 Affidavit is the current owner.

Office records indicate the registration is owned by **THERMO ANALYTICAL INC.** not **LANCASTER LABORATORIES, INC.**, the party who filed the Section 8 Affidavit.

The party who filed the Section 8 Affidavit must establish current ownership of the registration at least as early as 09-11-2002, the date the Section 8 Affidavit was signed. 37 C.F.R. §2.161(a). Ownership may be established by (1) recording appropriate documents in the Assignment Services Division. (703) 308-9723, or (2) submitting proof of the transfer of title to the party who filed the Section 8 Affidavit. 37 C.F.R. §3.73(b).

- (1) If the present owner chooses to establish ownership by recording appropriate documents in the Assignment Services Division, please notify the undersigned



TRADEMARK
REEL: 002829 FRAME: 0996

paralegal when the documents have been filed. A telephone call to the paralegal is encouraged to resolve this issue.

- (2) If the present owner chooses to establish ownership by submitting proof of the transfer of title, appropriate evidence, such as a copy of the document transferring ownership or a verified statement that a valid transfer of legal title has occurred, must be submitted. Please be advised that the Section 8 Notice of Acceptance will issue in the name of the original registrant or the last recorded assignee as recorded in the Assignment Services Division.

If the wrong party filed the Section 8 Affidavit and there is time remaining in the statutory filing period, the current owner may file a new affidavit. If the new affidavit is filed during the 6-month grace period, the owner must pay the filing fee for the Section 8 Affidavit plus the grace period fee. If the wrong party filed the Section 8 Affidavit, and there is no time remaining in the statutory filing period, the registration will be cancelled.

A COMPLETE RESPONSE MUST BE RECEIVED WITHIN 6 MONTHS FROM THE MAILING DATE OF THIS OFFICE ACTION. THE OWNER MUST RESPOND TO ALL INQUIRIES SET FORTH IN THIS LETTER TO AVOID CANCELLATION AND/OR EXPIRATION OF THE REGISTRATION.

PLEASE BE ADVISED THAT IF THE WRONG PARTY FILED THE SECTION 8 AFFIDAVIT, THE CURRENT OWNER MUST FILE A NEW AFFIDAVIT BEFORE THE GRACE PERIOD EXPIRES AND PAY THE FEE FOR FILING THE NEW AFFIDAVIT. THE OWNER MUST ALSO PAY THE GRACE PERIOD FEE, IF THE NEW AFFIDAVIT IS FILED DURING THE GRACE PERIOD.



Greggry A. Rice
Affidavit/Renewal Examiner
Post Registration Division
(703) 308-9500 ext. 208
(703) 872-9137 fax

How to respond to this Office Action:

To respond formally via E-mail, visit <http://www.uspto.gov/web/trademarks/tmelecresp.htm> and follow the instructions.

To respond formally via regular mail, your response should be sent to the mailing Return Address listed above and include the registration number, the words 'Post Registration' and the examiner's name on the upper right corner of each page of your response.