

08/31/92

09-25-2003

ET

9/4/03



102558954

Attached original documents or copy thereof.

To the Honorable Commissioner of

1. Name of conveying party(ies):

Name: The Marley Company

- Individual(s)
- General Partnership
- Corporation: Delaware
- Corporation of Canada
- Other
- Association
- Limited Partnership

Date of execution of attached Document: January 7, 2003

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

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

Name: The Marley-Wylain Company

Street Address: 1900 Johnson Drive

City: Mission Woods State/Country: Kansas ZIP: 66205

- Individual(s) citizenship \_\_\_\_\_
- Association \_\_\_\_\_
- General Partnership \_\_\_\_\_
- Limited Partnership \_\_\_\_\_
- Corporation Delaware
- Other \_\_\_\_\_

SEP 4 2003

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other
- Merger
- Change of Name

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) 76/086,466

B. Trademark Registration Number(s):

Additional numbers attached?  Yes  No.

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

Name: John H. Weber  
Internal Address: BAKER & HOSTETLER, LLP  
Washington Square, Suite 1100  
1050 Connecticut Avenue, N.W.  
Washington DC 20036-5304

6. Total number of applications and registrations involved: ..... 1

7. Total fee (37 CFR 3.41) ..... \$40

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number: 50-2036

Atty. Dkt. No.: 87359-0011

(Attach duplicate copy of this page if paying by deposit account)

09/24/2003 DBYRNE 00000158 76086466

01 FC:8521 40.00 DP

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.

John H. Weber  
Name of Person Signing

Signature

September 3, 2003  
Date

Total number of pages comprising cover sheet:

**ASSIGNMENT**

WHEREAS, The Marley Company, a U.S.A. Delaware corporation having an address of 2300 One First Union Center, Charlotte, North Carolina 28202, U.S.A. (formerly having an address of 1900 Shawnee Mission Parkway, Mission Woods, Kansas 66205, U.S.A.) (hereinafter "Assignor"), is the owner of the trademarks along with the registrations and/or applications to register same as set forth in Schedule A and patents and/or patent applications as set forth in Schedule B (hereinafter referred to collectively as "Assignor's Intellectual Property"); and

WHEREAS, The Marley-Wylain Company, a U.S.A. Delaware corporation having an address of 1900 Johnson Drive, Mission Woods, Kansas 66205, U.S.A., (hereinafter "Assignee"), is desirous of acquiring Assignor's Intellectual Property.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN, be it known, that for good and valuable consideration, the sum of One Dollar paid in hand, the receipt and sufficiency of which is hereby acknowledged, Assignor and Assignee agree as follows:

Assignor hereby assigns to Assignee, the entire right, title, and interest in and to Assignor's Intellectual Property, the same to be held and enjoyed by the Assignee for its own use and enjoyment and for the use and enjoyment of its successors, assigns, or other legal representation. Assignor further assigns to Assignee all the right to sue for past, present, and future infringements, and all rights corresponding thereto throughout the world for Assignor's Intellectual Property.

This Assignment shall be binding upon the parties, their successors and/or assignees, and all other acting by, through, with, or under their direction, and all those in privity therewith.

IN WITNESS WHEREOF, the said Assignor and Assignee have hereunto set their hand and affixed their corporate seal.

**ASSIGNOR**

The Marley Company

Date: January 7, 2003

By: \_\_\_\_\_

*Christopher J. Kearney*  
Executive Vice President and  
secretary

WITNESSES

Date: January 7, 2003

By: Lydia H. Myrick

Date: January 7, 2003

By: Maurice A. Whitland

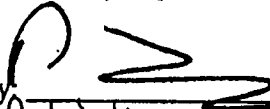
Notary: Linda A Kardos

Date: Jan 7, 2003

My commission expires:  
12/1/07

ASSIGNEE

The Marley-Wylain Company

By:   
Patrick J. O'Leary  
Executive Vice President

Date: January 7, 2003

WITNESSES

Date: Jan. 7, 2003

By: Lydia H. Myrick

Date: January 7, 2003

By: Maurice A. Whitland

Notary: Linda A Kardos

Date: Jan. 7, 2003

My commission expires:  
12/1/07

**SCHEDULE A**

<b><u>Trademark Name</u></b>	<b><u>Country Name</u></b>	<b><u>Application No</u></b>	<b><u>Registration No</u></b>
MILWAUKEE THERMOFLO & DESIGN	United States of America		669,281
THERMOFLO	United States of America	76/086,319	
THERMOFLO & DESIGN	United States of America	76/086,466	
WEIL-MCLAIN	United States of America		1,059,855
WEIL-MCLAIN	Australia		729465
WEIL-MCLAIN	Hungary		144728
WEIL-MCLAIN	Poland		98543
WEIL-MCLAIN	Czech Republic		191432
WEIL-MCLAIN	United States of America		1,059,855
WEIL-MCLAIN GOLD	United States of America		1,692,770
WILLIAMSON	United States of America		2,623,622
WILLIAMSON AND DESIGN	United States of America	76/086,318	
WILLIAMSON THERMOFLO	United States of America	76/086,316	

# SCHEDULE B

<u>Patent Number</u>	<u>Country</u>	<u>Title</u>
5,062,354	United States	Side Wall Vent/Air Termination Unit For Boilers
5,109,806	United States	Premix Boiler Construction
5,203,689	United States	Premix Boiler Construction



BAKER  
&  
HOSTETLER LLP  
COUNSELLORS AT LAW

WASHINGTON SQUARE, SUITE 1100 • 1050 CONNECTICUT AVENUE, N.W. • WASHINGTON, D.C. 20036-5304 • (202) 861-1500  
FAX (202) 861-1783

WRITER'S DIRECT DIAL NUMBER  
(202) 861-1526  
Writer's e-mail: [jweber@bakerlaw.com](mailto:jweber@bakerlaw.com)

September 3, 2003

VIA MESSENGER

Assistant Commissioner for Trademarks  
United States Patent and Trademark Office  
2900 Crystal Drive  
Arlington, VA 22202-3513

Re: U.S. Trademark Application  
Assignment for The Marley Company to  
The Marley-Wylain Company  
Mark: **THERMOFLO and Design App. No. 76/086,466**  
Our Ref.: 87359.0011

Dear Sirs:

We enclose the following for filing in the Patent and Trademark Office:

- Recordation Form Cover Sheet;
- Assignment

Also enclosed is a check in the amount of \$40 for the total filing fee. If any additional fees are required in connection with the filing of this application, please charge Deposit Account No. 50-20-36.

Very truly yours,  
BAKER & HOSTETLER LLP

  
John H. Webber

JHW/jp  
Enclosures