

05-18-2004



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U.S. Department of Commerce
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TRADEMARK

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TO: The Commissioner of Patents and

original document(s) or copy(ies).

Submission Type

- New
- Resubmission (Non-Recordation)
- Document ID #
- Correction of PTO Error
- Reel # Frame #
- Corrective Document
- Reel #002710 Frame #0891

Conveyance Type

- Assignment
- License
- Merger
- Security Agreement
- Change of Name
- Nunc Pro Tunc Assignment
- Effective Date:
- Other: Due to a typographical error on the coversheet, the wrong registration was recorded. Please delete recordal of 1994509 and change to 1944509.

Conveying Party

Execution Date *7/28/03*

Name Prism Enterprises, L.P.

Formerly

- Individual General Partnership Limited Partnership Corporation Association
- Other
- Citizenship/State of Incorporation/Organization Delaware
- Mark if Additional Names of Conveying Parties Attached

Receiving Party

Name Pristech Products, Inc.

DBA/AKATA

Address 6952 Fairground Parkway

Address

Address San Antonio

City

Texas

State/Country

78236-4528

Zip Code

- Individual General Partnership Limited Partnership Corporation Association
- Other
- Citizenship/State of Incorporation/Organization Delaware
- Domestic Representative Designation Attached: Yes No
- Mark if Additional Names of Receiving Parties Attached

OPR/FINANCE
203 SEP 29 AM 8:03

Correspondent Name and Address

Lynn A. Sullivan
Leydig, Voit & Mayer, Ltd.
Two Prudential Plaza, Suite 4900
Chicago, Illinois 60601-6780

Telephone: (312) 616-5600
Facsimile: (312) 616-5700
Attorney Docket No. 156937

Pages Enter the total number of pages of the attached conveyance document including any attachments: **3**

Trademark Application Number(s) or Registration Number(s) Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)

Registration Number(s)

1944509

Number of Properties

Enter the total number of properties involved: **1**

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): **\$40**

Method of Payment:

- Enclosed
- Deposit Account No. 12-1216

Authorization to Charge Additional Fees: Yes No

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. Charges to deposit account are authorized, as indicated herein.

Lynn A. Sullivan

September 18, 2003

TRADEMARK

REEL: 002854 FRAME: 0590

OPR/ASSIGNMENTS
SEP. 3. 2003 3:46PM

OPR/ASSIGNMENTS 03
700042617

NO. 4066 P. 2

RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

U.S. Department of Commerce
Patent and Trademark Office
TRADEMARK

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type <input checked="" type="checkbox"/> New <input type="checkbox"/> Resubmission (Non-Recordation) Document ID # <input type="checkbox"/> Correction of PTO Error Reel # Frame # <input type="checkbox"/> Corrective Document Reel # Frame #	Conveyance Type <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> License <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Nunc Pro Tunc Assignment Effective Date: <input type="checkbox"/> Other:
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Conveying Party Name Prism Enterprises, L.P. Formary <input type="checkbox"/> Individual <input type="checkbox"/> General Partnership <input checked="" type="checkbox"/> Limited Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> Association <input type="checkbox"/> Other <input checked="" type="checkbox"/> Citizenship/State of Incorporation/Organization Delaware <input type="checkbox"/> Mark if Additional Names of Conveying Parties Attached	Execution Date July 28, 2003
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Receiving Party Name Pristech Products, Inc. DBA/AKA/TA Address 8952 Fairgrounds Parkway Address San Antonio TX 78238-4528 City State/Country Zip Code <input type="checkbox"/> Individual <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Association <input type="checkbox"/> Other <input checked="" type="checkbox"/> Citizenship/State of Incorporation/Organization Delaware <input type="checkbox"/> Domestic Representative Designation Attached: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Mark if Additional Names of Receiving Parties Attached
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Correspondent Name and Address Lynn A. Sullivan Leydig, Voit & Mayer, Ltd. Two Prudential Plaza, Suite 4900 Chicago, Illinois 60601-5780	Telephone: (312) 618-8600 Facsimile: (312) 618-5700 Attorney Docket No. 158737
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Pages Enter the total number of pages of the attached conveyance document including any attachments: 3														
Trademark Application Number(s) or Registration Number(s) <input type="checkbox"/> Mark if additional numbers attached Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).														
<table border="1"> <thead> <tr> <th>Trademark Application Number(s)</th> <th>Registration Number(s)</th> </tr> </thead> <tbody> <tr> <td>1963995</td> <td>1977480</td> </tr> <tr> <td>1964509</td> <td>2163446</td> </tr> <tr> <td>1962254</td> <td>1784015</td> </tr> <tr> <td></td> <td>1893582</td> </tr> <tr> <td></td> <td>2127993</td> </tr> <tr> <td></td> <td>1785406</td> </tr> </tbody> </table>	Trademark Application Number(s)	Registration Number(s)	1963995	1977480	1964509	2163446	1962254	1784015		1893582		2127993		1785406
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	1785406													

Number of Properties Enter the total number of properties involved: 9
Fee Amount Fee Amount for Properties Listed (37 CFR 3.41): \$240 Method of Payment <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Deposit Account No. 12-1216 Authorization to Charge Additional Fees: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

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. Charges to deposit account are authorized, as indicated herein.

Lynn A. Sullivan		September 3, 2003
Name of Person Signing	Signature	Date

SEP 12 2003 12:12:16 PM

AMENDED AND RESTATED ASSIGNMENT OF U.S. TRADEMARKS

WHEREAS, Prism Enterprises, L.P. (Assignor), a Delaware limited partnership, having its principal offices c/o CooperSurgical, Inc., 95 Corporate Drive, Trumbull, Connecticut 06611 has adopted, used, is using and is the owner of the marks listed on Schedule A now registered in the United States Patent and Trademark Office;

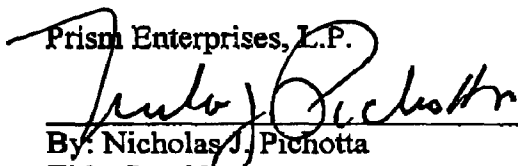
WHEREAS, Pristech Products, Inc. (Assignee), a Delaware corporation, having its principal place of business at 6952 Fairgrounds Parkway, San Antonio, TX 78238-4528 is desirous of acquiring said marks;

WHEREAS, this Amended and Restated Assignment of U.S. Trademarks shall replace that certain Assignment of U.S. Trademarks executed the 5th day of May, 2003, but never filed with the United States Patent and Trademark Office, pursuant to which Assignor inadvertently and by mistake (i) named Pristech, Inc., a former subsidiary and now dissolved Delaware corporation, assignee therein instead of Assignee and (ii) included the ProStretch Trademark among the trademarks in Schedule A, which trademark is not owned by Assignor the same having been previously assigned to a third party;

Now, therefore, for good and valuable consideration, the receipt of which is hereby acknowledged, Assignor hereby assigns to Assignee, and its successors in interest, without warranty from or recourse against Assignor, all right, title and interest in and to said marks, together with the goodwill of the business symbolized by said marks and registrations thereof, and including all common-law and other rights in said marks, all claims, demands and causes for action, both at law and in equity, that Assignor may have, or may hereinafter acquire, on account of any infringement of said marks prior to the date hereof, and does hereby empower Assignee,

and its successors in interest, to sue for and collect the same, to its and their own and absolute use.

IN WITNESS WHEREOF, the undersigned, being duly authorized and acting on behalf of Assignor, does hereby execute this assignment on the 28th day of July, 2003 to be effective on the 5th day of May, 2003.

Prism Enterprises, L.P.

By: Nicholas J. Pichotta
Title: President

SCHEDULE A

<u>MARK</u>	<u>REGISTRATION NO.</u>
AQUA COOL	1953995
COLD GEL	1977486
EZ HEAT	1893582
HOT GRIP	19 4 4509
PRISTECH	2163446
PROHEAT	2127993
THE COMFORT ZONE	1962254
THE HEAT SOLUTION	1784015
THERMAL SCIENCES & design	1785406
ZAP PAC	1784014

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