

FORM PTO-1024 (MO/mae)
(Rev. 10/02)
OMB No. 0651-0027 (exp. 6/30/2005)
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TM05/REV03



TRADEMARK

102771362

Docket No.:

525.1052

Tab settings

C Y/
9/3/04

To the Director of the United States Patent and Trademark Office: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

BPSI Holdings, Inc.

- Individual(s)
- General Partnership
- Corporation-State Delaware
- Other

- Association
- Limited Partnership

Additional names(s) of conveying party(ies) Yes No

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other To correct an error made in a previously recorded document that erroneously affects this registration

- Merger
- Change of Name

Execution Date: 8/17/04 R/F 0697/0106

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

Name: BPSI Holdings, Inc.

Internal Address: Suite 1300, P.O. Box 8985

Street Address: 1105 North Market Street

City: Wilmington State: DE ZIP: 19899

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

Corporation-State Delaware

Other

If assignee is not domiciled in the United States, a domestic designation is Yes N

(Designations must be a separate document from Additional name(s) & address(es) Yes N

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

A. Trademark / Service Mark Application No.(s)

B. Trademark / Service Mark Registration No.(s)

1,304,527

Additional numbers

Yes No

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

Name: Michael N. Mercanti

Internal Address: Muserlian, Lucas and Mercanti, LLP

Street Address: 475 Park Avenue South

City: New York State: NY ZIP: 10016

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:

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.

Timothy D. Meade

Name of Person Signing

Tim D Meade
Signature

8/17/04

Date

Total number of pages including cover sheet, attachments, and

5

Mail documents to be recorded with required cover sheet information to:

09/15/2004 ECOOPER 00000039 1304527

Mail Stop Recordation Services
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P.O. Box 1450, Alexandria, VA 22313-1450

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UNITED STATES PATENT & TRADEMARK OFFICE

RE: Registrant : BPSI Holdings, Inc.
Trademark Registration No.: 1,304,527
For: NO-TOX

TRANSMITTAL LETTER

Mail Stop Assignment Recordation Services
Director - United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313

August 17, 2004

Sir:

This submission is made to correct an error made in a previously recorded document that erroneously affects the above-identified registration. The erroneous document was filed at Reel/Frame 0697/0106 by another party against this registration. Registrant has been unable to locate the correspondent for the party that recorded the erroneous document.

In accordance with TMEP 503.06(c), Registrant has enclosed:

- (1) a completed cover sheet identifying the registration against which the assignment was improperly recorded;
- (2) a declaration identifying itself as the correct owner, stating that the previously recorded document was submitted with erroneous information, and providing the reel and frame number of the previously recorded document; and
- (3) the required fee.

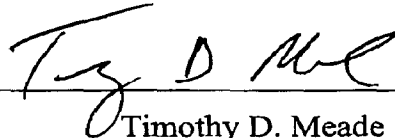
It is submitted that BPSI Holdings, Inc. is the correct owner of US Registration No. 1,304,527. The document recorded at Reel/Frame 0697/0106 was submitted with erroneous information. The true chain of title includes an assignment from Colorcon, Inc., the original registrant, to Berwind Pharmaceutical Services, Inc. (recorded on February 5, 1990), and an assignment from Berwind Pharmaceutical Services, Inc. to BPSI Holdings, Inc., (recorded on May 1, 2002). The last correct assignee, BPSI Holdings, Inc., continues to be the owner of US Registration 1,304,527. It is further submitted that the undersigned acknowledges that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of this Registration, declaring that he is properly authorized to execute this document on behalf of the Owner; and all statements made of his knowledge are true and that all statements made on information and belief are believed to be true.

Correction of the erroneous document recorded at Reel/Frame 0697/0106 is respectfully requested. Thank you for your prompt attention to this matter.

Respectfully submitted,

MUSERLIAN, LUCAS AND MERCANTI, L.L.P.

By: _____



Timothy D. Meade

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