

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	CORRECTIVE ASSIGNMENT																		
NATURE OF CONVEYANCE:	Corrective Assignment to correct the correction to receiving party's name previously recorded on Reel 003098 Frame 0971. Assignor(s) hereby confirms the assigns the entire interest and the goodwill.																		
CONVEYING PARTY DATA																			
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 25%;">Name</th> <th style="width: 25%;">Formerly</th> <th style="width: 25%;">Execution Date</th> <th style="width: 25%;">Entity Type</th> </tr> <tr> <td>M&S Systems, L.P.</td> <td></td> <td>12/17/2004</td> <td>LIMITED PARTNERSHIP: TEXAS</td> </tr> </table>	Name	Formerly	Execution Date	Entity Type	M&S Systems, L.P.		12/17/2004	LIMITED PARTNERSHIP: TEXAS											
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M&S Systems, L.P.		12/17/2004	LIMITED PARTNERSHIP: TEXAS																
RECEIVING PARTY DATA																			
Name:	M&S Systems, LP (formerly known as Linear M&S Acquisition LP)																		
Street Address:	2861 Congressman Lane																		
City:	Dallas																		
State/Country:	TEXAS																		
Postal Code:	75220																		
Entity Type:	LIMITED PARTNERSHIP: DELAWARE																		
PROPERTY NUMBERS Total: 5																			
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 20%;">Property Type</th> <th style="width: 20%;">Number</th> <th style="width: 60%;">Word Mark</th> </tr> <tr> <td>Registration Number:</td> <td>2466878</td> <td>M & S SYSTEMS</td> </tr> <tr> <td>Registration Number:</td> <td>2735073</td> <td>PURELY POWERFUL</td> </tr> <tr> <td>Registration Number:</td> <td>2811899</td> <td>FINE HOME ACOUSTICS</td> </tr> <tr> <td>Registration Number:</td> <td>2318130</td> <td>HOMEMATION</td> </tr> <tr> <td>Registration Number:</td> <td>2992497</td> <td></td> </tr> </table>	Property Type	Number	Word Mark	Registration Number:	2466878	M & S SYSTEMS	Registration Number:	2735073	PURELY POWERFUL	Registration Number:	2811899	FINE HOME ACOUSTICS	Registration Number:	2318130	HOMEMATION	Registration Number:	2992497		
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Registration Number:	2811899	FINE HOME ACOUSTICS																	
Registration Number:	2318130	HOMEMATION																	
Registration Number:	2992497																		
CORRESPONDENCE DATA																			
Fax Number:	(703)610-6200																		
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>																			
Phone:	703-610-6100																		
Email:	boxip@hhlaw.com																		
Correspondent Name:	Valerie Brennan																		
Address Line 1:	8300 Greensboro Drive, Suite 1100																		
Address Line 2:	Box Intellectual Property																		

CH \$140.00 2466878

900035803

TRADEMARK
REEL: 003192 FRAME: 0336

Address Line 4: McLean, VIRGINIA 22102

ATTORNEY DOCKET NUMBER:

23658.01

NAME OF SUBMITTER:

Valerie Brennan

Signature:

/valerie brennan/

Date:

11/10/2005

Total Attachments: 6

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12-30-2004

DEPARTMENT OF COMMERCE
Patent and Trademark Office

RECORD/
TRAI



102913656

To the Director of the U. S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies)/Execution Date(s):

M&S Systems, L.P.

- ☐ Individual(s) ☐ Association
☐ General Partnership ☒ Limited Partnership
☐ Corporation-State
☐ Other _____

Citizenship (see guidelines) _____

Execution Date(s) _____

Additional names of conveying parties attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

2. Name and address of receiving party(ies)

Additional names, addresses, or citizenship attached? ☐ Yes ☒ No

Name: M&S Systems, LP

Internal

Address: _____

Street Address: 2861 Congressman Lane

City: Dallas

State: TX

Country: USA Zip: 75220

- ☐ Association Citizenship _____
☐ General Partnership Citizenship _____
☒ Limited Partnership Citizenship _____
☐ Corporation Citizenship _____
☐ Other _____ Citizenship _____

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)

4. Application number(s) or registration number(s) and identification or description of the Trademark.

A. Trademark Application No.(s)
75/865,633
78/260,167; 78/451,501

B. Trademark Registration No.(s) 2,318,130
2,466,878; 2,735,073; 2,811,899

Additional sheet(s) attached? ☐ Yes ☐ No

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):

M&S Systems - 7/10/2001

Purely Powerful - 7/2/2003

Waveguide - 11/3/2003

Chamberlain M&S - 12/6/1999

Homeation - 2/15/2000

W Design - 7/28/2004

Fine Home Acoustics - 2/3/2004

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

Name: Dawn Urbanowicz

Internal Address: _____

Street Address: c/o Nortek, Inc.
50 Kennedy Plaza

City: Providence

State: RI Zip: 02903

Phone Number: 401-751-1600

Fax Number: 401-751-9844

Email Address: urbanowicz@nortek-inc.com

6. Total number of applications and registrations involved:

7

7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ 280.00

- ☐ Authorized to be charged by credit card
☐ Authorized to be charged to deposit account
☒ Enclosed

8. Payment Information:

a. Credit Card Last 4 Numbers _____
Expiration Date _____

b. Deposit Account Number _____

Authorized User Name _____

9. Signature:

Dawn Urbanowicz
Signature

Dawn Urbanowicz

Name of Person Signing

12/24/2004
Date

Total number of pages including cover sheet, attachments, and document: 5

Documents to be recorded (including cover sheet) should be faxed to (703) 306-5995, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

TRADEMARK
REEL: 003192 FRAME: 0338

Refund Ref:
12/29/2004

CHECK Refund Total: \$90.00

40.00 OP
150.00 OP

12/29/2004 EC00PER 00000051 75865633

01 FC:8521
02 FC:8522

ASSIGNMENT OF TRADEMARKS

THIS ASSIGNMENT OF TRADEMARKS is made as of December 17, 2004 by M&S Systems, L.P., a Texas limited partnership ("M&S"), in favor of Linear M&S Acquisition LP, a Delaware limited partnership ("Linear").

RECITALS:

WHEREAS, Linear and M&S are parties to a certain Asset Purchase Agreement dated as of December 17, 2004 (the "Asset Purchase Agreement"), under the terms of which M&S agreed to sell and transfer, and Linear agreed to purchase, the Purchased Assets (as such term is defined in the Asset Purchase Agreement); and

WHEREAS, M&S is the owner of the trademarks, service marks, trademark and service mark registrations and trademark and service mark applications listed on Schedule 1 hereto (the "Trademarks"), which together with the products and goodwill associated with the Trademarks, constitute part of the Purchased Assets; and

WHEREAS, pursuant to the Asset Purchase Agreement, Linear desires to obtain all of M&S's right, title and interest in, to and under said Trademarks subject to the terms and conditions of the Asset Purchase Agreement;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by M&S, M&S hereby sells, conveys, assigns, transfers and delivers to Linear, all of its right, title and interest in, to and under the Trademarks, all goodwill associated therewith, all common law rights thereto, and all applications that have been filed and all registrations that have been or may be granted thereon and all foreign counterparts thereof, together with the right to sue and recover damages for future or past infringements thereof and to fully and entirely stand in the place of M&S in all matters related thereto, all subject to the terms and conditions of the Asset Purchase Agreement.

[Remainder of page intentionally blank.]

IN WITNESS WHEREOF, the undersigned has caused this Assignment of Trademarks to be executed as of the day and year first written above.

M&S SYSTEMS, L. P.

By: Chamberlain M&S, Inc., its general
partner

By: [Signature]
Name: Robert L. Fealy
Title: Vice President and Chief Financial Officer

STATE OF ILLINOIS)
) ss
COUNTY OF DUPAGE)

On December 16 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared Robert L. Fealy, personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument as the Vice President and Chief Financial Officer of Chamberlain M&S, Inc., the general partner of M&S Systems, L.P., on behalf of such partnership.

WITNESS my hand and official seal.

[Signature]
[SEAL] Notary Public

My Commission expires on 1-10-2007



**SCHEDULE 1
TO
ASSIGNMENT OF TRADEMARKS
BY
M&S SYSTEMS, L.P.
TO
LINEAR M&S ACQUISITION LP
TRADEMARKS**

Mark	Appl/Reg No.	Filing/Reg Date
M&S SYSTEMS	2,466,878	July 10, 2001
AIR VAC A PRODUCT OF M&S SYSTEMS, INC. (Abandoned)	73/745,893	August 15, 1988
CHAMBERLAIN AIR VAC & DESIGN (Abandoned)	75/847,978	November 12, 1999
CHAMBERLAIN M&S	75/865,633	December 6, 1999
PURELY POWERFUL	2,735,073	July 2, 2003
HOMEMATION	2,318,130	February 15, 2000
FINE HOME ACOUSTICS	2,811,899	February 3, 2004
WAVEGUIDE	78/260,167	November 3, 2003
W Design	78/451,501	July 28, 2004