# Electronic Version v1.1 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	to correct an error made in a previously recorded document that erroneously affects the identified registrations

### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Troxel Products, LLC		07/16/2007	LIMITED LIABILITY
TTOXEL FTOGUCIS, ELC		0771072007	COMPANY: DELAWARE

### **RECEIVING PARTY DATA**

Name:	Troxel Products, LLC
Street Address:	100 Tubb Ave.
City:	West Point
State/Country:	MISSISSIPPI
Postal Code:	39773
Entity Type:	LIMITED LIABILITY COMPANY: DELAWARE

## PROPERTY NUMBERS Total: 2

Property Type	Number	Word Mark
Registration Number:	2567709	FLEXIBLE FLYER
Registration Number:	2643139	FLEXIBLE FLYER SINCE 1889

### **CORRESPONDENCE DATA**

Fax Number: (865)523-4478

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Phone: (865) 546-4305

Email: MGraham@LNG-Patent.com

Correspondent Name: Mark S. Graham, Esq.
Address Line 1: 900 South Gay St.

Address Line 2: Suite 1871

Address Line 4: Knoxville, TENNESSEE 37902

ATTORNEY DOCKET NUMBER:	61763.00
NAME OF SUBMITTER:	Michael Robinson, Esq.

TRADEMARK REEL: 003589 FRAME: 0699

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Signature:	/michael robinson/	
Date:	07/23/2007	
Total Attachments: 3 source=6176300-corres-20070716-ExecutedAffidavitOfBruceMiller#page1.tif source=6176300-corres-20070716-ExecutedAffidavitOfBruceMiller#page2.tif source=6176300-corres-20070716-ExecutedAffidavitOfBruceMiller#page3.tif		

TRADEMARK
REEL: 003589 FRAME: 0700

### AFFIDAVIT OF BRUCE MILLER

Bruce E. Miller deposes and states as follows:

- 1. I am Vice President for The Troxel Company. I am also Secretary for Troxel Products, LLC, a wholly owned subsidiary of The Troxel Company. In these capacities. I have personal knowledge of the matters stated herein. This Affidavit is being submitted as a part of a request for recordation pursuant to TMEP 503.06(c) entitled "Assignment of Change of Name Improperly Filed and Recorded By Another Person Against Owner's Application or Registration."
- 2. As Vice President for The Troxel Company, I was involved with the purchase by The Troxel Company of certain assets from FF Acquisition Corp. including, but not limited to, U.S. Registration No. 2,643,139 for the mark FLEXIBLE FLYER SINCE 1889 and Design and U.S. Registration No. 2,567,709 for the mark FLEXIBLE FLYER, including all goodwill and other rights associated with these marks and registrations (hereinafter. "the Marks").
- 3. The Marks were assigned to The Troxel Company on December 5, 2005, by way of an assignment document timely recorded in the records of the USPTO on December 20, 2005, at Reel/Frame 3213/0765.
- 4. On or about March 15, 2006. The Troxel Company assigned all of its right, title, and interest in the Marks to its wholly owned subsidiary Troxel Products, LLC. This assignment was recorded in the records of the USPTO on September 28, 2006, at Reel/Frame 3400/0893.
- 5. On or about June 5. 2006, a document purporting to assign the Marks a second time from FF Acquisition Corp. to another entity was recorded in the USPTO records at Reel/Frame 3321/0506. This second assignment document purportedly assigned all rights in the Marks from FF Acquisition Corp. to a company called Asian Ventures, Inc. on or about April 18, 2006. At most, Asian Ventures may have had a potential right to

TRADEMARK REEL: 003589 FRAME: 0701 become a licensee of the Mark under terms of a certain Assett Purchase Agreement between FF Acquisition Corp. and The Troxel Company.

- 6. The Troxel Company did not and has not as of the date of this Affidavit assigned or otherwise conveyed any rights in the Marks to any other entity other than Troxel Products, LLC as described above.
- 7. Troxel Products, LLC is and should be the current owner of the Marks according to the USPTO records. The valid chain of title from The Troxel Company to Troxel Products, LLC should not be considered altered by the purported second assignment of the Marks From FF Acquisition Corp. to Asian Ventures, Inc. on April 18, 2006. and recorded by the USPTO on June 5, 2006, at Reel/Frame 3321/0506. At the time of the purported second assignment of the marks from FF Acquisition Corp. to Asian Ventures, Inc., FF Acquisition Corp. did not own or have any assignable rights in the Marks. All such rights were previously assigned to The Troxel Company by way of the assignment from FF Acquisition Corp. dated December 5, 2005, and previously recorded in the USPTO records on December 20, 2005 at Reel/Frame 3213/0765 within three months of the assignment execution on December 5, 2005. in accordance with 15 U.S.C. § 1060.

FURTHER, AFFIANT SAYETH NAUGHT.

Signed:

Bruce E. Miller

Vice President. The Troxel Company Secretary. Troxel Products. LLC

STATE OF <u>TENNESSEE</u>) so COUNTY OF <u>Fagette</u>)

Before me, a notary public of the state and county mentioned, personally appeared Bruce E. Miller with whom I am personally acquainted, and who, upon oath, acknowledged himself to be Vice President of The Troxel Company and Secretary of Troxel Products, LLC, the former named party, a corporation, and the latter named party, a limited liability company, and that he as such Vice President of The Troxel Company and Secretary of Troxel Products, LLC, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Vice President and by signing the name of the limited liability company by himself as Secretary.

WITNESS my hand and seal, at office in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ TENNESSEE this 16th day of July, 2007.

Notary Public

My Commission Expires:  $\sqrt{-04-20/0}$ 

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