Electronic Version v1.1 Stylesheet Version v1.1

SUBMISSION TYPE: NEW ASSIGNMENT

NATURE OF CONVEYANCE: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

## **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
DAP Products Inc.		01/01/2000	CORPORATION: DELAWARE

#### **RECEIVING PARTY DATA**

Name:	Kop-Coat, Inc.
Street Address:	3020 William Pitt Way
City:	Pittsburgh
State/Country:	PENNSYLVANIA
Postal Code:	15238
Entity Type:	CORPORATION: OHIO

PROPERTY NUMBERS Total: 2

Property Type	Number	Word Mark
Registration Number:	0419380	WOODLIFE
Registration Number:	0365947	WOOD LIFE

#### **CORRESPONDENCE DATA**

Fax Number: (412)566-6099

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

Phone: 4125662077

Email: ipmail@eckertseamans.com

Correspondent Name: Arnold B. Silverman

Address Line 1: 600 Grant Street, 44th Floor

Address Line 4: Pittsburgh, PENNSYLVANIA 15219

ATTORNEY DOCKET NUMBER: 114578-00431

NAME OF SUBMITTER: Arnold B. Silverman

Signature: /ABS/

Date: 07/14/2008

TRADEMARK

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> TRADEMARK REEL: 003815 FRAME: 0156

### **CONFIRMATORY ASSIGNMENT**

This Confirmatory Assignment, having an effective date as of January 1, 2000 (the "Effective Date"), is entered into by and between DAP Products Inc., at all times material hereto a Delaware corporation having its principal place of business in Baltimore, Maryland ("DAP"), and Kop-Coat, Inc., at all times material hereto an Ohio corporation having its principal place of business in Pittsburgh, Pennsylvania ("Kop-Coat").

WHEREAS, for many years, the mark WOODLIFE and variations thereof has been used on or in connection with wood treating products (the "Woodlife Business") by or on behalf of DAP, its predecessors-in-interest to the Woodlife Business; and their respective related companies; and

WHEREAS, DAP and Kop-Coat previously entered into a License Agreement dated June 22, 1995 (the "Woodlife License"), a true and correct copy of which is recorded with the Assignments Division of the U.S. Patent & Trademark Office at Reel 1408, Frame 0220, and pursuant to which DAP licensed to Kop-Coat certain rights concerning the non-retail portion of the Woodlife Business (the "Woodlife IP"), which rights are more fully identified in the Woodlife License and which include rights in certain marks identified on Schedule A hereto (the "Woodlife Marks"); and

WHEREAS, after June 22, 1995 but prior to the Effective Date, Kop-Coat used the Woodlife Marks pursuant to the Woodlife License on behalf of DAP on or in connection with the products of the non-retail portion of the Woodlife Business while DAP used the Woodlife Marks on or in connection with the products of the retail portion of the Woodlife Business; and

WHEREAS, the intent of the parties hereto on the Effective Date was to terminate the Woodlife License, to transfer from DAP to Kop-Coat all of DAP's rights in and to the Woodlife IP, and to license the Woodlife IP used in connection with the retail portion of the Woodlife Business to an affiliate of both parties, William Zinsser & Co. Incorporated now known as Zinsser Co., Inc. ("Zinsser"); and

WHEREAS, as of the Effective Date, the parties hereto and Zinsser conducted their respective businesses in accordance with such intent; and

WHEREAS, the parties hereto inadvertently failed to execute a written document fully evidencing the termination of the Woodlife License and the transfer of all of DAP's rights in and to the Woodlife IP to Kop-Coat; and

WHEREAS, as a result of such failure, some of the registrations of the Woodlife Marks identified in Schedule A were mistakenly included as assigned properties in assignments by DAP and related entities, which are recorded with the U.S. Patent & Trademark Office at Reel 2687, Frame 0017 and Reel 2687/0814; and

WHEREAS, as of the Effective Date, the marks covered by the Woodlife License have been used by Zinsser on Kop-Coat's behalf;

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TRADEMARK
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NOW, THEREFORE, DAP and Kop-Coat hereby confirm that effective as of January 1, 2000, the parties hereto terminated the Woodlife License and that, also effective as of January 1, 2000, DAP assigned to Kop-Coat all right, title and interest in and to (i) the Woodlife IP, (ii) the registrations and/or applications for registration of the Woodlife IP, including but not limited to those identified on Schedule A, (iii) all income, royalties, damages and payments now or hereafter due or payable with respect to the Woodlife IP, (iv) all rights of action arising from the Woodlife IP, including all claims for damages by reason of past, present and future infringement of the Woodlife IP and the right to sue and collect damages for such infringement, to be held and enjoyed by Kop-Coat for its own use and benefit and for its successors and assigns as the same would have been held by DAP had the assignment confirmed hereby not been made, and (v) the goodwill of the business symbolized by the Woodlife Marks.

IN WITNESS WHEREOF, this Confirmatory Assignment has been executed by the duly authorized representatives identified below.

KOP-COAT, INC.

By Alan S. ROD Title: VICE PRESIDENT TECHNICAL DIR.

DAP PRODUCTS INC.

By Mben A. Held Title: Vice President & General Course

# SCHEDULE A

<u>Pacents</u>		
No.	Country	<u>Title</u>
1,146,706	Canada	WATER REPELLENT AND PRESERVATIVE
4,323,602	United States	FOR WOOD PRODUCTS WATER REPELLENT AND PRESERVATIVE FOR WOOD PRODUCTS
<u>Trademarks</u>		
No.	Country	<u> Title</u>
419,380 365,947 105,350 B322,281 B342,267 351,071 980,964 72,281 1,458,994 106,083 B140,436	United States United States Canada Australia Australia Benelux Germany Finland France Norway New Zealand	WOODLIFE
<u>Copyrights</u>		•
No.	Country	Mark

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NONE

RECORDED: 07/14/2008