

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	Correction of erroneously recorded document affecting the identified registration/applications		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
FX Luminaire, Inc.		12/30/2009	CORPORATION: CALIFORNIA
RECEIVING PARTY DATA			
Name:	FX Luminaire, Inc.		
Street Address:	10019 Waples Court		
City:	San Diego		
State/Country:	CALIFORNIA		
Postal Code:	92121		
Entity Type:	CORPORATION: CALIFORNIA		
PROPERTY NUMBERS Total: 13			
Property Type	Number	Word Mark	
Registration Number:	2874095	METALLOPESANTE	
Registration Number:	2876877	TREEBOX	
Registration Number:	2881255	TERRAX	
Registration Number:	3331832	XENOLUX	
Registration Number:	3331938	LUXOR	
Registration Number:	3353811	LUXOR ELECTRIQUE	
Registration Number:	3469504	DICHROLUX	
Serial Number:	77360659	NANOGREEN	
Serial Number:	77360662	ECOEARH	
Serial Number:	77360663	GREENFX	
Serial Number:	77400898	LUXURY CONSERVATION	
Serial Number:	77482129	ECOLUXURY	
Registration Number:	2881256	SUPERBLOX	

CH \$340.00 2874095

CORRESPONDENCE DATA

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ATTORNEY DOCKET NUMBER:	111958-000001
NAME OF SUBMITTER:	Eleanor M. Musick
Signature:	/eleanor musick/
Date:	12/30/2009
Total Attachments: 2 source=Declaration re Improper Recordation#page1.tif source=Declaration re Improper Recordation#page2.tif	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Trademark Registration/
Application Nos.

2,874,095	METALLOPESANTE
2,876,877	TREEBOX
2,881,256	SUPERBLOX
2,881,255	TERRAX
3,331,832	XENOLUX
3,331,938	LUXOR
3,353,811	LUXOR ELECTRIQUE
3,469,504	DICHROLUX
77/360,659	NANOGREEN
77/360,662	ECOEARTH
77/360,663	GREENFX
77/400,898	LUXURY CONSERVATION
77/482,129	ECOLUXURY

DECLARATION REGARDING IMPROPER RECORDATION OF ASSIGNMENT

I, Eleanor M. Musick, state and declare as follows:

1. I am the attorney of record in each of the above-identified trademark registrations/applications and the attorney for the current owner of said marks, and am authorized to make this declaration on behalf of the current owner.
2. The original applicant in each registration/application was FX Luminaire, Inc., a California corporation, which is reflected in the USPTO records.
3. On March 9, 2009, an assignment was recorded at Reel 003948, Frame 0485 transferring 54 trademark registrations/applications from Joshua Beadle to FX Luminaire, a California corporation. This recorded assignment included each of the above-identified trademarks.
4. At no time did Joshua Beadle, who was president of FX Luminaire, Inc., hold any individual right, title or interest in the above-identified marks. Therefore, he had no individual rights to convey with regard to said marks.
5. Up until the assignment of the above-identified trademarks by FX Luminaire, Inc. to Hunter Industries Incorporated, which was executed on February 2, 2009, FX Luminaire, Inc. was the sole owner of said trademarks. Accordingly, the true chain of title for said trademarks originates with FX Luminaire, Inc. as the original applicant/registrant and flows directly to Hunter Industries Incorporated.

6. A corrective assignment has been filed with regard to other trademarks purportedly transferred by way of the assignment recorded at Reel 003948, Frame 0485, changing the identity of the assignor from Joshua Beadle to FX Luminaire, a sole proprietorship consisting of Joshua Z. Beadle and Eleanor E. Beadle. That corrective assignment has been recorded at Reel 004052, Frame 0384.

The undersigned declares further that all statements made herein of her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of any patent issuing on this application.

Dated: December 30, 2009

By:



Eleanor M. Musick
California Bar Member
USPTO Reg. No. 35,623
Attorney of Record,
Attorney for FX Luminaire, Inc. and
Hunter Industries Incorporated (current owner)