## CH \$540.00

## TRADEMARK ASSIGNMENT

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
The Testor Corporation		10/31/2011	CORPORATION: OHIO

## RECEIVING PARTY DATA

Name:	Rust-Oleum Brands Company
Street Address:	11 Hawthorn Parkway
Internal Address:	Legal Dept.
City:	Vernon Hills
State/Country:	ILLINOIS
Postal Code:	60061
Entity Type:	CORPORATION: DELAWARE

PROPERTY NUMBERS Total: 21

Property Type	Number	Word Mark	
Serial Number:	77559534	TESTORS FOR TODAY'S KIDS!	
Serial Number:	77558366	U DU	
Registration Number:	3352345		
Registration Number:	3544669	AMAZING AIR	
Registration Number:	1341851	FLOQUIL	
Registration Number:	3331070	COLORARTZ	
Registration Number:	1594910	AZTEK	
Registration Number:	3897198	INSPIRATION FOR CREATIVE MINDS.	
Registration Number:	1017683	MCCOY	
Registration Number:	2011153	POLLY SCALE	
Registration Number:	2976709	OVERDRIVE ARENA	
Registration Number:	2124534	AIRPAINTER	
Registration Number:	0549214	TESTORS	
			TRADEMARK

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Registration Number:	1976858	QUICKBUILDER
Registration Number:	0975263	PACTRA
Registration Number:	1260097	MODEL MASTER
Registration Number:	3624226	TESTORS. LET'S BUILD.
Registration Number:	1037921	TESTORS
Registration Number:	0954777	TESTORS
Registration Number:	0953953	TESTORS
Registration Number:	3871227	RECREATE HISTORY

## **CORRESPONDENCE DATA**

Fax Number: (847)816-2230 Phone: 847-816-2226

Email: mmurphy@rustoleum.com

Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent

via US Mail.

Correspondent Name: Michael T. Murphy

Address Line 1: c/o Rust-Oleum, 11 Hawthorn Parkway

Address Line 2: Legal Dept.

Address Line 4: Vernon Hills, ILLINOIS 60061

NAME OF SUBMITTER:	Michael T. Murphy
Signature:	/Michael T. Murphy/
Date:	11/08/2011

Total Attachments: 3

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TRADEMARK REEL: 004657 FRAME: 0377

## MERGER OF ASSETS AND ASSIGNMENT OF TRADEMARKS

WHEREAS, The Testor Corporation, an Ohio corporation, with offices at 440 Blackhawk Park Avenue, Rockford, Illinois, 61104, United States of America, has adopted, used and is using in commerce certain trade names and marks in the United States and/or elsewhere (collectively, the "Marks"), including but not limited to those Marks shown on Schedule A attached hereto, and is the owner of the registrations and applications for registration for the Marks also shown in Schedule A:

WHEREAS, the assets of The Testor corporation, were merged on January 1, 2011, into Rust-Oleum Corporation, an Illinois corporation, with offices at 11 Hawthorn Parkway, Vernon Hills, Illinois 60061;

WHEREAS, as a result of such merger, Rust-Oleum Corporation ("Assignor") is now the owner of the Marks and is desirous of assigning the Marks listed in Schedule A to Rust-Oleum Brands Company (Assignee), a Delaware corporation, with offices at 11 Hawthorn Parkway, Vernon Hills, Illinois, 60061;

WHEREAS, Rust-Oleum Brands Company ("Assignee") is desirous of acquiring all right, title and interest in and to the Marks, all registrations for the Marks, and the goodwill associated with the Marks; and

NOW THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, and intending to be legally bound, Assignor hereby sells, assigns and transfers to Assignee, effective as of January 1, 2011, all worldwide right, title and interest in and to (i) the Marks, (ii) all registrations of the Marks including but not limited to those shown in Schedule A, (iii) all income, royalties, damages and payments now or hereafter due or payable with respect to the Marks, (iv) all rights of action arising from the Marks, including all claims for damages by reason of past, present and future infringement of the Marks and the right to sue and collect damages for such infringement, to be held and enjoyed by Assignee for its own use and benefit and for its successors and assigns as the same would have been held by Assignor had this assignment not been made, and (v) the goodwill of the business symbolized by the Marks.

By: Thomas E. Reed
President & Chief Operating Officer

State of Illinois ) ss County of Lake )

Subscribed and sworn to before me on

10 31 , 201

Notary Public

OFFICIAL SEAL STEPHEN J. GILLMANN NOTARY PUBLIC, STATE OF ILLINOIS My Commission Expires Oct. 17, 2014

# SCHEDULE A The Testor Corporation - Trademarks

Company	Tindowall	A	7	3	
Coultry	ageilaix	Application number	Registration Number	Registration pate	Status
United States	Square Bottle Configuration	78/943,491	3,352,345	12/11/2007 Active	Active
United States	AMAZING AIR	77303194	3,544,669	12/9/2008 Active	Active
United States	FLOQUIL (scripted)		1,341,851	6/18/1985 Active	Active
United States	Testors for Today's Kids! With design	77559534			Pending
United States	COLORARTZ	78-640,557	3,331,070	11/6/2007 Active	Active
United States	AZTEK	73/830,932	1,594,910	5/8/1990 Active	Active
United States	F-19 STEALTH FIGHTER CONTAINER PACKAGING		VA 239-078	6/25/1986 Active	Active
United States	Inspiration for Creative Minds.	85035787	3,897,198	12/28/2010 Active	Active
United States	F-19 STEALTH FIGHTER MODEL DESIGN		VA 241-157		Active
United States	МССОУ		1,017,683	8/5/1975 Active	Active
United States	POLLY SCALE		2,011,153	10/22/1996 Active	Active
United States	OVERDRIVE ARENA	76/292,664	2,976,709	7/26/2005 Active	1ctive
United States	AIRPAINTER		2,124,534	12/23/1997 Active	Active
United States	TESTORS		549,214	10/9/1951 Active	active
United States	QUICKBUILDER!	74/705,090	1,976,858	5/28/1996 Active	Active
United States	PACTRA		975,263	12/25/1973 Active	\ctive
United States	MODEL MASTER		1,260,097	12/6/1983 Active	ctive
United States	UDU	77558366		P	Pending

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# SCHEDULE A The Testor Corporation - Trademarks

Country	Trademark	Application Number	Registration Number	Registration Date Status	Status
United States	TESTORS, LET'S BUILD.	77411553	3,624,226	5/19/2009 Active	Active
United States	TESTORS & Design		1,037,921	4/13/1976 Active	Active
United States	TESTORS & Design		954,777	3/13/1973 Active	Active
United States	TESTORS & Design		953,953	2/27/1973 Active	Active
United States	RECREATE HISTORY	77767417	3,871,227	11/2/2010 Active	Active

TRADEMARK RECORDED: 11/08/2011 **REEL: 004657 FRAME: 0380** 

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