

TRADEMARK ASSIGNMENT

Electronic Version v1.1  
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SUBMISSION TYPE:	NEW ASSIGNMENT																										
NATURE OF CONVEYANCE:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL																										
CONVEYING PARTY DATA																											
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CORRESPONDENCE DATA																											
Fax Number: 8026580978 <i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i> Phone: 802 658 7830 Email: smerritt@merritt-merritt.com Correspondent Name: Sharon J. Merritt Address Line 1: PO Box 5839 Address Line 4: burlington, VERMONT 05402																											
NAME OF SUBMITTER:	Sharon J. Merritt																										
Signature:	/Sharon J. Merritt/																										
Date:	06/04/2013																										
Total Attachments: 2 source=TRADEMARK ASSIGNMENT PAPAP INC SMART#page1.tif source=TRADEMARK ASSIGNMENT PAPAP INC SMART#page2.tif																											

OP \$65.00 3185846

TRADEMARK ASSIGNMENT

WHEREAS, Performance Air Products, Inc. ("Assignor") has adopted and used in the United States certain trademarks associated with its business of designing and manufacturing thermally powered, self contained VAV "Smart" diffusers and related products, including without limitation "Performance Air Products" and the federally registered trademark bearing Registration Number 3185846 registered on December 19, 2006 (the "Marks"); and

WHEREAS, Metal Industries, Inc., a Florida corporation ("Assignee") has acquired from Assignor the assets used in Performance Air's operation of its business including the Marks and the goodwill associated therewith; and

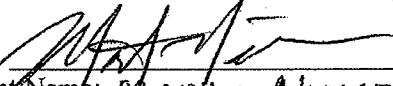
WHEREAS, Assignee desires to confirm as a matter of records its acquisition of the Marks, including all goodwill associated therewith, from Assignor.

NOW, THEREFORE, in consideration of good and valuable consideration paid by Assignee, the receipt and sufficiency of which are hereby acknowledged:

1. Assignor agrees to sell, assign, transfer and convey and hereby does sell, assign, transfer and convey unto Assignee the full, exclusive and entire right and interest in and to the Marks, together with the good will of the business symbolized by the Marks.
2. Assignor agrees to sell, assign, transfer and convey and hereby does sell, assign, transfer and convey unto Assignee all claims for damages or other remedies by reason of past infringement of the Marks and the right to sue for and collect such damages for its own use, to be held and enjoyed by Assignee for its own use and enjoyment and the use and enjoyment of its successors, assigns or other legal representatives as fully and entirely as the same would have been held and enjoyed by Assignor if this assignment and sale had not been made.
3. Assignor agrees that all necessary records of Assignor to establish priority of use in any interference or similar proceeding will be made available at no additional charge to Assignee, in the event such records are needed in connection with the Marks.

IN WITNESS WHEREOF, Assignor has caused this Assignment to be executed and effective this 28<sup>th</sup> day of March, 2013.

PERFORMANCE AIR PRODUCTS, INC.

By:   
Print Name: MARJORY NIELSEN  
Title: PRESIDENT

STATE OF Vermont )  
COUNTY OF Chittenden )

Before me, the undersigned attesting officer duly authorized to administer oaths, a Notary Public in and for the county aforesaid, on this 28<sup>th</sup> day of March, 2013 personally appeared Marty Nielsen  personally known to me  who produced VT DL as identification, who being by me duly sworn, deposes and says that he is the President of Performance Air Products, Inc., and that the foregoing instrument was signed by authority of its Board of Directors, and acknowledged said instrument to be the free act and deed of said corporation.

(SEAL)

  
NOTARY PUBLIC

Print Name: Donald E Marsgreen

My commission expires: 2-10-2015