

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM371741

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	COURT APPOINTMENT OF TRUSTEE		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
Bruce E. Robinson, Chapter 7 Trustee, Bankr. E.D. Va., In re International Foam Packagaing, LLC		06/12/2014	TRUSTEE: VIRGINIA
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	Frontier Paper & Packaging Incorporated		
<b>Street Address:</b>	2000 Executive Drive		
<b>City:</b>	Indianapolis		
<b>State/Country:</b>	INDIANA		
<b>Postal Code:</b>	46204		
<b>Entity Type:</b>	CORPORATION: INDIANA		
<b>PROPERTY NUMBERS Total: 1</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
<b>Registration Number:</b>	2326032	XPANDER PAK	
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>	3176377561		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>			
<b>Phone:</b>	317-634-3456		
<b>Email:</b>	DocketDept@uspatent.com		
<b>Correspondent Name:</b>	Quentin G. Cantrell		
<b>Address Line 1:</b>	111 Monument Circle, Suite 3700		
<b>Address Line 4:</b>	Indianapolis, INDIANA 46204		
<b>ATTORNEY DOCKET NUMBER:</b>	053007-000040		
<b>NAME OF SUBMITTER:</b>	Grace E. Kellermeier		
<b>SIGNATURE:</b>	/Grace E. Kellermeier/		
<b>DATE SIGNED:</b>	02/03/2016		
<b>Total Attachments: 8</b>			
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**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**In re: INTERNATIONAL FOAM PACKAGING, LLC,  
Debtor.**

**Case No. 13-35109-KLP  
Chapter 7**

**CHAPTER 7 TRUSTEE'S MOTION FOR  
ORDER AUTHORIZING THE PRIVATE SALE OF THE  
BANKRUPTCY ESTATE'S INTEREST IN THE  
XPANDER PAK TRADE NAME**

**NOW COMES** the Chapter 7 Trustee, Bruce E. Robinson (the "Trustee"), by counsel, and files this motion for entry of an order pursuant to 11 U.S.C. § 363, Federal Rules of Bankruptcy Procedure 2002, 6004, and 9014, and Local Bankruptcy Rules 6004-2, and moves this Court for entry of an order authorizing the Chapter 7 Trustee to sell to Frontier Paper & Packaging Incorporated the bankruptcy estate's interest in the "Xpander Pak" trade name by private sale for the sum of Four Thousand Dollars (\$4,000.00), free and clear of all liens, claims, encumbrances and interests, with such liens, claims, encumbrances and interest attaching to the proceeds of such sale (the "Motion"), and in support thereof respectfully represents as follows:

**Jurisdiction**

1. This court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 & 1334.
2. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2).
3. Venue is proper pursuant to 28 U.S.C. §§ 1408 & 1409.

**Facts**

4. On September 23, 2013 (the "Petition Date"), International Foam Packaging, LLC (the "Debtor") filed a voluntary petition under Chapter 11 of the Bankruptcy Code.

William A. Gray, Esquire (VSB No. 46911)  
John C. Smith, Esquire (VSB No. 44556)  
Sands Anderson PC  
1111 East Main Street, Suite 2400 (23219)  
Post Office Box 1998  
Richmond, Virginia 23218-1998  
*Counsel for Bruce E. Robinson, Chapter 7 Trustee*

**TRADEMARK  
REEL: 005722 FRAME: 0704**

5. On December 3, 2013, the Court granted Debtor's motion to convert the case from Chapter 11 to Chapter 7, and Bruce E. Robinson was appointed interim trustee and continues to serve in that capacity.

6. As of the Petition Date, Debtor owned the "Xpander Pak" trade name.

7. Debtor originally acquired the "Xander Pak" trade name in 2002 as part of a bulk purchase of assets<sup>1</sup> from the bankruptcy estate of *In re Xpander Pak, Inc.*, No. 02-63515 (Bankr. E.D. Va.). Unfortunately, the purchase price of \$150,000.00 was not allocated among the assets.

8. After negotiations, the Chapter 7 Trustee and Frontier Paper & Packaging Incorporated, an Indiana corporation, have reached an agreement, subject to Court approval, whereby the Chapter 7 Trustee will sell and Frontier Paper & Packaging Incorporated will purchase the bankruptcy estate's interest in the "Xpander Pak" trade name by private sale for the sum of Four Thousand Dollars (\$4,000.00), free and clear of all liens, claims, encumbrances and interests, with such liens, claims, encumbrances and interest attaching to the proceeds of such sale. The Sales Contract between the Chapter 7 Trustee and Frontier Paper & Packaging Incorporated is attached and incorporated as Exhibit A. The Chapter 7 Trustee is holding the sale proceeds in escrow pending Court approval of the sale.

9. The Chapter 7 Trustee, after consultation with auctioneers at Motley's Auction who have had some experience in selling trade names, in his business judgment, believes the proposed sale is at a fair and reasonable price and is in the best interests of the bankruptcy estate and its creditors.

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<sup>1</sup> Purchased assets included inventory, accounts receivable, fixed assets, and general intangibles (including goodwill, telephone numbers, trademarks, trade names, logos, patents, and customer lists).

**WHEREFORE**, the Chapter 7 Trustee prays that this Court enter an Order substantially in the form proposed by Exhibit B, and granting such further relief to the Chapter 7 Trustee as may be just and proper.

Respectfully submitted this 15<sup>th</sup> day of July, 2014.

/s/ John C. Smith  
William A. Gray, Esquire (VSB No. 46911)  
John C. Smith, Esquire (VSB No. 44556)  
Sands Anderson PC  
1111 East Main Street, Suite 2400 (23219)  
Post Office Box 1998  
Richmond, Virginia 23218-1998  
*Counsel for Bruce E. Robinson, Chapter 7 Trustee*

W2703685

SALES CONTRACT

This agreement is entered into on June 12<sup>th</sup>, 2014, by and between BRUCE E. ROBINSON as Chapter 7 Trustee for the bankruptcy estate of In re International Foam Packaging, LLC, No. 13-35109-KLP (Bankr. E.D. Va.) ("Seller"), and FRONTIER PAPER & PACKAGING INCORPORATED, an Indiana corporation ("Purchaser").

Recitals

A. On September 23, 2013 ("Bankruptcy Filing Date"), International Foam Packaging, LLC (the "Debtor") voluntarily filed for relief in the United States Bankruptcy Court for the Eastern District of Virginia, Richmond Division (the "Bankruptcy Court"), under Chapter 11 of the Bankruptcy Code.

B. On December 3, 2013, the Court granted the debtor's motion to convert the case from Chapter 11 to Chapter 7, and Bruce E. Robinson was appointed interim trustee and continues to serve in that capacity.

C. Among the assets of the estate on the Bankruptcy Filing Date was an interest in the "Xpander Pak" trade name and associated good will, including Unites States Trademark Registration 2326032.

D. Subject to Bankruptcy Court approval, the Seller will sell to Purchaser the bankruptcy estate's interest in the "Xpander Pak" trade name, associated good will, and U.S. Trademark Registration No. 2326032, for the sum of Four Thousand Dollars (\$4,000.00), free and clear of all liens, claims, encumbrances and interests, with such liens, claims, encumbrances and interest, if any, attaching to the proceeds of such sale.

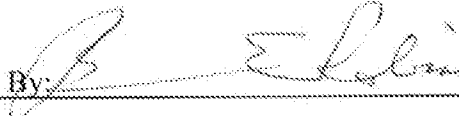
E. The Purchaser will pay the sale price to the Seller to hold in escrow pending the Bankruptcy Court's approval. If the sale is not approved, the Seller shall return all escrowed funds to the Purchaser.

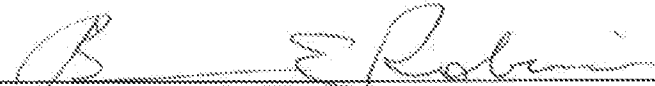
Terms of Agreement

1. For and in consideration of the sum of Four Thousand Dollars (\$4,000.00 USD), the Seller does hereby bargain, sell, assign, transfer, convey and deliver to Purchaser, effective as of the Bankruptcy Filing Date, all of the bankruptcy estate's interest in the "Xpander Pak" trade name and associated good will, including U.S. Trademark Registration No. 2326032, free and clear of all liens, claims, encumbrances and interests, with such liens, claims, encumbrances and interest, if any, attaching to the proceeds of such sale.

2. This Agreement is conditioned upon approval by the Bankruptcy Court.

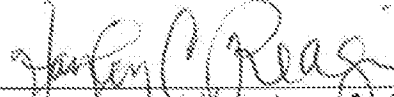
WITNESS the following signatures and seals:

Date: 6/12/14 By:  (SEAL) (Seller)

  
\_\_\_\_\_  
Bruce E. Robinson, as Chapter 7 Trustee

FRONTIER PAPER & PACKAGING INCORPORATED

Date: 6/12/14

By:  (SEAL) (Purchaser)  
Print name & title: Hayley C. Reagin, CFO

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
(Richmond Division)**

**In re: INTERNATIONAL FOAM PACKAGING, LLC, Case No. 13-35109-KLP  
Debtor. Chapter 7**

**ORDER**

Before the Court is the *Chapter 7 Trustee's Motion for Order Authorizing the Private Sale of the Bankruptcy Estate's Interest in the Xpander Pak Trade Name* (the "Motion"), which seeks authority to sell to Frontier Paper & Packaging Incorporated the bankruptcy estate's interest in the "Xpander Pak" trade name by private sale for the sum of Four Thousand Dollars (\$4,000.00), free and clear of all liens, claims, encumbrances and interests, with such liens, claims, encumbrances and interests, if any, attaching to the proceeds of such sale. Upon consideration of the Motion,

**IT IS ORDERED** that the Motion is GRANTED;

**IT IS ORDERED** that the Chapter 7 Trustee is authorized to sell to Frontier Paper & Packaging Incorporated the "Xpander Pak" trade name by private sale for the sum of Four Thousand Dollars (\$4,000.00);

**IT IS ORDERED** that such sale(s) shall be free and clear of all liens, claims, encumbrances, and interests, with such liens, claims, encumbrances, and interests, if any, to attach to the proceeds of such sale(s); and

**IT IS ORDERED** that the fourteen (14) day waiting period imposed by Federal Rule of Bankruptcy Procedure 6004(h) is waived, thereby allowing the Chapter 7 Trustee to proceed with the sale(s) of the Personal Property immediately upon entry of this order.

Entered: Aug 8 2014

/s/ Keith L. Phillips

United States Bankruptcy Court

Entered on Docket: 8/8/14



For this I ask:

/s/ John C. Smith

William A. Gray, Esquire (VSB No. 46911)

John C. Smith, Esquire (VSB No. 44556)

Sands Anderson PC

1111 East Main Street, Suite 2400 (23219)

Post Office Box 1998

Richmond, Virginia 23218-1998

*Counsel for Bruce E. Robinson, Chapter 7 Trustee*

**L.B.R. 9022-1(C) CERTIFICATION**

I hereby certify that the foregoing proposed order has been endorsed by all necessary parties.

/s/ John C. Smith

**COPIES TO:**

International Foam Packaging, LLC  
5639 Eastport Blvd  
Henrico, VA 23231-4444

Ronald A. Page, Jr., Esquire  
Ronald Page, PLC  
501 E. Franklin Street, Suite 626  
Richmond, VA 23219

Frontier Paper & Packaging Incorporated  
Attn: James Branham  
2000 Executive Drive  
Indianapolis, IN 46241

Bruce E. Robinson, Esquire  
P.O. Box 538  
South Hill, VA 23970-0538

Robert B. Van Arsdale, Esquire  
Office of the U.S. Trustee  
701 East Broad Street, Room 4304  
Richmond, VA 23219