

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM431206

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	NUNC PRO TUNC ASSIGNMENT		
EFFECTIVE DATE:	07/25/2006		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
AVM, Inc.		06/13/2017	Corporation: SOUTH CAROLINA
RECEIVING PARTY DATA			
Name:	AVM Industries, LLC		
Street Address:	Hwy. 76 East		
Internal Address:	P.O. Box 729		
City:	East Marion		
State/Country:	SOUTH CAROLINA		
Postal Code:	29571		
Entity Type:	Limited Liability Company: OHIO		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Registration Number:	3455341	MIGHTY LIFT!	
CORRESPONDENCE DATA			
Fax Number:	7168194761		
<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>			
Phone:	7168481683		
Email:	adowney@hodgsonruss.com		
Correspondent Name:	Anne F. Downey		
Address Line 1:	140 Pearl Street, Suite 100		
Address Line 4:	Buffalo, NEW YORK 14202		
NAME OF SUBMITTER:	Anne F. Downey		
SIGNATURE:	/anne f. downey/		
DATE SIGNED:	06/14/2017		
Total Attachments: 1			
source=Confirmatory Assignment of MIGHTY LIFT!#page1.tif			

OP \$40.00 3455341

CONFIRMATORY ASSIGNMENT

THIS CONFIRMATORY ASSIGNMENT given as of July 25, 2006 by AVM, Inc., a South Carolina corporation ("Assignor"), to AVM Industries, LLC, an Ohio limited liability company with an address at P.O. Box 729, Hwy. 76 East, East Marion, South Carolina 29571 ("Assignee").

WHEREAS, effective July 25, 2006, Assignor assigned to Assignee all right, title and interest in and to the trademarks used in the Acquired Business, as that term was defined in a certain Asset Purchase Agreement dated as of July 25, 2006 between Assignor, Assignee and other parties specified therein, and all associated goodwill of the business symbolized thereby; and

WHEREAS, Assignor assigned said trademarks goodwill and related rights to Assignee by means of a certain Trademark Assignment dated as of July 25, 2006 (the "Trademark Assignment"), which is recorded at Reel 3378, Frame 0371, but said document erroneously failed to list U.S. App. 78728252 (the "Application") filed on October 6, 2005 with a Section 1(a) basis for the Mighty Lift! trademark (the "Trademark"); and

WHEREAS, the Application proceeded to registration on June 24, 2008 under Reg. No 3,455,341 (the "Registration"); and

WHEREAS, the parties desire to enter into this Confirmatory Assignment to confirm and document the assignment of the Registration and related rights from Assignor to Assignee;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby (a) confirms the assignment of the Trademark from Assignor to Assignee effective July 25, 2006 (the "Effective Date"), together with the goodwill of Assignor's business associated with the Trademark, and all rights to injunctive relief, damages and profits, due or accrued, arising out of all causes of action, past, present and future, including without limitation infringement or other unauthorized use of the Trademark, or other violations, or injury to the said goodwill, and the right to sue for and recover the same in Assignee's own name and the names of Assignee's successors, assigns or other legal representative as fully and entirely as the same would have been held and enjoyed by Assignor if the Trademark Assignment had not been made, together with all income, royalties, damages or payments due or payable as of the Effective Date or thereafter; and (b) assigns to Assignee all of Assignor's right, title and interest in and to the Registration, together with all legal rights connected therewith.

IN WITNESS WHEREOF, Assignor and Assignee have caused this Confirmatory Assignment to be executed by their duly authorized representatives as of the Effective Date.

ASSIGNOR

AVM, INC.

By: 

Print Name and Title: Mark R. Schaitkin, President and Secretary

Date: June 13, 2017

ASSIGNEE

AVM INDUSTRIES, LLC

By: 

Print Name and Title: STEPHEN GRAHAM, CFO

Date: June 9, 2017