

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM500639

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	Correction by Declaration recorded at reel/frame: 4758/0744		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
D-M-S HOLDINGS, INC.		01/18/2012	Corporation: DELAWARE
RECEIVING PARTY DATA			
Name:	D-M-S HOLDINGS, INC.		
Street Address:	1931 Norman Drive		
City:	Waukegan		
State/Country:	ILLINOIS		
Postal Code:	60085		
Entity Type:	Corporation: DELAWARE		
PROPERTY NUMBERS Total: 2			
Property Type	Number	Word Mark	
Registration Number:	3961002	SWITCH STICKS	
Registration Number:	4160891	S.	
CORRESPONDENCE DATA			
Fax Number:	6124927077		
<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:	6124927000		
Email:	ip@fredlaw.com		
Correspondent Name:	Patricia A. Larson, Senior Paralegal		
Address Line 1:	Fredrikson & Byron, P.A.		
Address Line 2:	200 S. Sixth Street, Suite 4000		
Address Line 4:	Minneapolis, MINNESOTA 55402		
NAME OF SUBMITTER:	Patricia A. Larson		
SIGNATURE:	/Patricia A. Larson/		
DATE SIGNED:	12/04/2018		
Total Attachments: 5			
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OP \$65.00 3961002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re:

Mark: SWITCH STICKS
Registration No: 3961002

Mark: S.
Registration No: 4160891

DECLARATION OF DREW KAPINOS

I, Drew Kapinos, Vice President, Quality & Category Management of D-M-S Holdings, Inc., a Delaware corporation, hereby provide the following information relating to the filings with the U.S. Patent and Trademark Office for the trademark registration SWITCH STICKS, registration number 3961002 and the trademark registration S., registration number 4160891 (collectively, the "Registrations"):

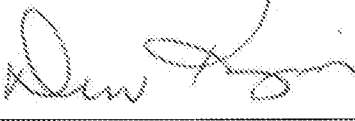
The present Registrations contain an error relating to the Registrant's legal name. The manner in which this mistake arose is as follows:

- On January 18, 2012, an Asset Purchase Agreement was entered into by and between DMS Holdings, Inc., a Delaware corporation, and Switch Sticks, Ltd., a United Kingdom company which identified the Registrations via its Intellectual Property Assets schedule (the "Assignment").
- The Assignment was recorded with the U.S. Trademark Office on April 17, 2012 via Reel/Frame no. 4758/0744.
- The dashes were inadvertently omitted from "DMS" in the Assignment as well as the recordation cover sheet via Reel/Frame no. 4758/0744 in connection with the owner information. The incorrect entity information concerning the Assignee (owner) of the Registrations was not detected until the records were reviewed by the Registrant's current law firm. Thus, the legal name of the owner of the Registrations should be reflected as "D-M-S Holdings, Inc., a Delaware corporation." (See attached certified copy of the Certificate of Merger of D-M-S Holdings, Inc. issued by the Delaware Secretary of State.)
- In light of the circumstances, the Registrant believes that the incorrectly stated incorporation information concerning the ownership of the Registrations occurred in good faith, thus meeting the statutory requirements of 15 U.S.C. § 1057.

The undersigned being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the Registrations, declares that he is properly authorized to execute this Declaration on behalf of the owner; that he believes the owner as stated herein to be the owner of the Registrations; and all statements made of his own knowledge are true and all statements made on information and belief are believed to be true.

D-M-S HOLDINGS, INC., a Delaware corporation

Date: December 3, 2018

By: 

Drew Kapinos
Vice President, Quality & Category Management

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Delaware

PAGE 1

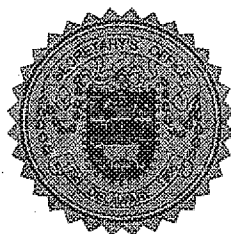
The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"MABIS HEALTHCARE HOLDINGS, INC.", A DELAWARE CORPORATION, WITH AND INTO "D-M-S HOLDINGS, INC." UNDER THE NAME OF "D-M-S HOLDINGS, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-NINTH DAY OF OCTOBER, A.D. 2004, AT 11:33 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF MERGER IS THE THIRTY-FIRST DAY OF OCTOBER, A.D. 2004.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



2513865 8100M

040783576

Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 3489893

DATE: 11-19-04

TRADEMARK

REEL: 006494 FRAME: 00361

State of Delaware
Secretary of State
Division of Corporations
Delivered 11:30 AM 10/29/2004
FILED 11:33 AM 10/29/2004
SRV 040783576 - 2513865 FILE

**STATE OF DELAWARE
CERTIFICATE OF MERGER OF
DOMESTIC CORPORATIONS**

Pursuant to Title 8, Section 251(c) of the Delaware General Corporation Law, the undersigned corporation executed the following Certificate of Merger:

FIRST: The name of the surviving corporation is D-M-S Holdings, Inc., and the name of the corporation being merged into this surviving corporation is Mabis Healthcare Holdings, Inc.

SECOND: The Agreement of Merger has been approved, adopted, certified, executed and acknowledged by each of the constituent corporations.

THIRD: The name of the surviving corporation is D-M-S Holdings, Inc., a Delaware corporation.

FOURTH: The Certificate of Incorporation of the surviving corporation shall be its Certificate of Incorporation.

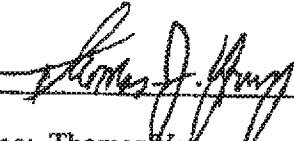
FIFTH: The merger is to become effective on October 31, 2004.

SIXTH: The Agreement of Merger is on file at 7300 Westown Parkway, West Des Moines, IA 50266, the place of business of the surviving corporation's parent corporation, Briggs Medical Service Company, a Delaware corporation.

SEVENTH: A copy of the Agreement of Merger will be furnished by the surviving corporation on request, without cost, to any stockholder of the constituent corporations.

IN WITNESS WHEREOF, said surviving corporation has caused this certificate to be signed by an authorized officer, the 25th day of October, 2004.

D-M-S HOLDINGS, INC.

By: 

Name: Thomas Young

Title: Assistant Secretary

Date: October 25, 2004

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