

Re: MRD

07-08-1999

7-8-99

Tab settings



101085272

Attached original documents or copy thereof.

To the Honorable Commissioner of Patents

1. Name of conveying party(ies):

JACUZZI INC.
2121 North California Boulevard
Suite 475
Walnut Creek, California 94596

- Individual(s)
- General Partnership
- Corporation-State Delaware (former)
- Other
- Association
- Limited Partnership

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other Nunc Pro Tunc Assignment effective
- Merger
- Change of Name

June 30, 1998

Execution Date: February 25, 1999

2. Name and address of receiving party(ies):

Name: JACUZZI INC.

Internal Address: Suite 475

Street Address: 2121 North California Boulevard

City: Walnut Creek State: CA ZIP: 94596

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State Delaware
- Other

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No

(Designations must be a separate document from Assignment)

Additional name(s) & address(es) attached? Yes No

4. Application number(s) or registration number(s):

A. Trademark Application No.(s)

see attached listing

B. Trademark registration No.(s)

see attached listing

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Marvin L. Mizis

Internal Address: Donahue, Gallagher, Woods
& Wood, LLP
Growers Square

Street Address: 1646 North California Boulevard
Suite 310

City: Walnut Creek State: CA ZIP: 94596

6. Total number of applications and registrations involved:

80

7. Total fee (37 CFR 3.41):..... \$ 2,015.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Kathryn Jennison Shultz
Name of Person Signing

Signature

March 30, 1999

Date

Total number of pages comprising cover sheet:

5

APPENDIX B-2
PENDING U.S. TRADEMARKS OF JACUZZI INC.
as of June 30, 1998

<u>Serial #</u>	<u>Trademark</u>	<u>Filing Date</u>
74/044555	ASTERIA	04/02/1990
74/621887	CARA	01/12/1995
74/339487	CIRRUS	12/14/1992
74/462997	DELFINO	11/24/1993
74/044552	ELITE	04/02/1990
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74/188760	LUMIERE COLLECTION	07/26/1991
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75/081671	MITO	04/01/1996
75/441204	THE MOST TRUSTED NAME IN WATER	02/26/1998
75/359570	PUMP WORKS	09/19/1997
74/667522	TIVOLI	04/27/1995
75/509545	TYPHOON	06/19/1998
75/288657	WELL DONE	05/08/1997
75/359569	Unknown Design Mark	09/19/1997

APPENDIX B-1
ISSUED U.S. TRADEMARKS OF JACUZZI INC.
as of June 30, 1998

<u>Regis #</u>	<u>Trademark</u>	<u>Expire Date</u>
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R SHEET
ONLY

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03/31/1999 JSHABAZZ 00000076 74044555

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01 FC:481 40.00 OP
02 FC:482 1975.00 OP

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Kathryn Jennison Shultz
Name of Person Signing

March 30, 1999

Signature

Date

Total number of pages comprising cover sheet:

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CONFIRMATORY ASSIGNMENT

NUNC PRO TUNC

as of

June 30, 1998

THIS CONFIRMATORY ASSIGNMENT confirms *nunc pro tunc* as of June 30, 1998, the assignment of trademarks, applications to register trademarks, trademark registrations, trade names, rights in certain inventions, applications to obtain letters patents, letters patents, and all other intellectual property owned by Assignor (collectively "intellectual property"), together with that part of the goodwill of the business connected with the use of said intellectual property and symbolized thereby, and assignment of all rights to sue, to arbitrate, and otherwise to enforce legal rights in such intellectual property, by:

(a) Jacuzzi Inc., a former Delaware corporation, which had its principal place of business at 2121 North California Blvd., Suite 475, Walnut Creek, California, as Assignor,

to:

(b) Jacuzzi Inc., a Delaware corporation, with a principal place of business at 2121 North California Blvd., Suite 475, Walnut Creek, California, as Assignee.

In this Confirmatory Assignment, the word "trademark(s)" includes both marks applicable to goods and marks applicable to services.

BE IT REMEMBERED that as of June 30, 1998, all of the assets of Assignor, including without limitation the following described intellectual property and appurtenant rights, were transferred to Assignee:

(a) All of the entire right, title, and interest in and to trademarks, applications to register trademarks, trademark registrations, and trade names, both registered and

unregistered, including all Notices of Allowance and all Certificates of Registration relating thereto, and all other proprietary designations;

(b) All of the entire right, title, and interest in and to certain inventions and in and to pending applications to obtain letters patents and issued letters patents;

(c) All rights to sue, arbitrate, or otherwise enforce, at its sole option in its own name or in the name of Assignor, its rights for past and present misuse or infringement of said intellectual property; and,

(d) All of the goodwill of the business appurtenant to said intellectual property.

NOW THEREFORE, pursuant to the June 30, 1998 transfer, the occurrence of which is hereby confirmed and acknowledged, Assignor does hereby confirmatorily sell, assign, transfer, and set over *nunc pro tunc* as of that date to Assignee:

(a) the entire right, title, and interest in and to the intellectual property herein described and enumerated;

(b) the goodwill and the business in connection with said intellectual property; and,

(c) rights to institute legal proceedings at law or in equity, or to engage in arbitration, at its sole option in its own name or in the name of Assignor, to (1) to obtain injunctions against, and/or to recover monetary damages for, past, present, or future infringements of any or all of said trademarks or trade names, or (2) to obtain injunctions against, and/or to recover monetary damages for, past, present, or future infringements of any or all of said inventions or letters patents, including each and all of the trademark registrations, applications to register trademarks, letters patents, and applications to obtain letters patents, set forth in the following appendices attached hereto and made a part hereof:

APPENDIX

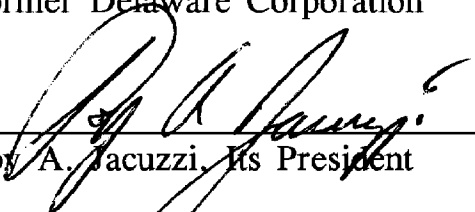
DESCRIPTION

- A Letters Patents and Applications to Obtain Issuance of Letters Patents
- B Trademark Registrations and Applications to Register Trademarks
- C Trademarks in Use, or Intended to be Used, Other than Registered Marks and Marks for which Applications for Registration have been Filed

IN WITNESS WHEREOF, Assignor and Assignee have each authorized execution of this Confirmatory Assignment by a duly authorized officer, it being understood that the effective date of this document is June 30, 1998.

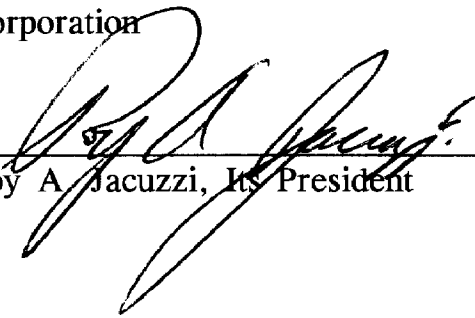
Executed this _____ day of February, 1999, at Walnut Creek, California.

JACUZZI INC.,
a Former Delaware Corporation

By  _____
Roy A. Jacuzzi, Its President

"Assignor"

JACUZZI INC.,
a Corporation

By  _____
Roy A. Jacuzzi, Its President

"Assignee"

APPENDIX A
LETTERS PATENTS OF JACUZZI INC.
as of June 30, 1998

<u>Patent No.</u>	<u>Patentee</u>	<u>Date Issued</u>
3,143,139	Pretti, E.D.	08/04/1964
3,149,070	Nash, F.M.	09-15-1964
3,159,849	Jacuzzi, C.J.	12/08/1964
3,178,024	Jacuzzi, C.J.	04/13/1965
3,208,390	Jacuzzi, V.	09/28/1965
3,252,052	Nash, F.M.	05/17/1966
3,252,575	Jacuzzi, C.J.	05/24/1966
3,273,560	Jacuzzi, C.J.	09/20/1966
3,287,741	Nash, F.M.	11/29/1966
3,297,025	Jacuzzi, C.J.	01/10/1967
3,302,640	Jacuzzi, C.J.	02/07/1967
3,304,936	Kosta, P.L.	02/21/1967
3,314,543	Nash, F.M.	04/18/1967
3,321,204	Pretti, E.B.	05/23/1967
3,323,468	Thompson, O.M.	06/06/1967
3,337,725	Nash, F.M.	08/22/1967
3,346,014	Jacuzzi, C.J.	10/10/1967
3,361,303	Jacuzzi, C.J.	01/02/1968
3,365,064	Horan, R.E., Jr.	01/23/1968
3,378,858	Jacuzzi, C.J.	04/23/1968
3,381,823	Nash, F.M.	05/07/1968
3,391,870	Nash, F.M.	07/09/1968
3,394,733	Jacuzzi, C.J.	07/30/1968
3,422,788	Horan, R.E., Jr.	01/21/1969
3,427,662	Jacuzzi, C.J. Nash, F.M. Barody, A.J.	02/18/1969
3,428,178	Nash, F.M.	02/18/1969
3,442,292	Jacuzzi, C.J.	05/06/1969
3,442,385	Nash, F.M.	05/06/1969

3,507,753	Jacuzzi, F.	04/21/1970
3,512,644	Nash, F.M.	05/19/1970
3,540,438	Jacuzzi, R.	11/17/1970
3,547,409	Jacuzzi, F.	12/15/1970
3,568,121	Nash, F.M.	03/02/1971
3,572,381	Nash, F.M.	03/23/1971
3,587,976	Jacuzzi, R.	06/28/1971
3,597,770	Jacuzzi, K.	08/10/1971
3,613,630	Jacuzzi, F.	10/19/1971
3,625,365	Armstrong, J.E. Jacuzzi, V.	12/07/1971
3,630,363	Nash, F.M. Hicks, J.T.	12/28/1971
3,674,020	Jacuzzi, R.	07/04/1972
3,679,257	Jacuzzi, R.	05/25/1972
3,736,924	Jacuzzi, R. Kosta, P.	06/05/1973
3,739,810	Horah, R.E., Jr.	06/19/1973
3,756,741	Woell, F.T., Jr.	09/14/1973
3,784,321	Woell, F.T., Jr.	01/08/1974
3,814,543	Gritz, D.D.	06/04/1974
3,839,859	Woell, F.T., Jr.	10/08/1974
3,840,175	Jacuzzi, V.	10/08/1974
3,842,823	Jacuzzi, R. Kosta, P.	10/22/1974
3,871,792	Gritz, D.D.	03/18/1975
3,874,374	Jacuzzi, R.	04/01/1975
3,876,336	Nash, F.M.	04/08/1975
3,892,498	Jacuzzi, R. Kosta, P.	07/01/1975
3,905,358	Jacuzzi, V.	09/16/1975
3,928,197	Horan, R.E., Jr. Nash, F.M.	12/23/1975
3,931,830	Gritz, D.D.	01/13/1976
3,949,700	Baroody, A.J.	04/13/1976

3,992,130	Childress, B.	11/16/1976
4,034,428	Jacuzzi, R.	07/12/1977
4,082,091	Raab, A.	04/04/1978
4,108,775	Wilkes, R.D. Peters, A.H. Jacuzzi, V.J.	08/22/1978
4,126,925	Jacuzzi, V.	11/28/1978
4,153,954	Jacuzzi, R. D'Innocente, Ralph	05/15/1979
4,168,705	Raab, A.	09/25/1979
4,185,655	Wilkes, Robert D. Smith, Eugene C. Ufford, David E.	01/29/1980
4,211,216	Burgess, John D. Jacuzzi, Virgil J.	07/08/1980
4,233,694	Janosko, Richard L. D'Innocente, Ralph	11/18/1980
4,261,347	Spencer, III, Terrel Puckett, Joe D.	04/14/1981
4,396,210	Spencer, III, Terrel Puckett, Joe D.	08/02/1983
4,408,721	Cohen, Carlos Raab, Alfred	10/11/1983
4,426,286	Puckett, Joe D. Bryant, Donald L.	01/17/1984
4,539,498	Wilkes, Robert D.	09/03/1985
4,592,100	Robertson, Joeab A. Waldorf, Virgil J. Wilkes, Robert D. Pucket, Joe D.	06/03/1986
4,637,873	DeSousa, Daniel A. Gockel, Gary L. D'Innocente, Ralph Jacuzzi, Roy A.	01/20/1987
4,746,269	Raab, Alfred	05/24/1988
4,776,759	Maskell, Bruce W. Soule, Jeff R.	10/11/1988
4,918,768	DeSousa, Daniel A. Badley, William G. D'Innocente, Ralph	04/24/1990

4,944,653	Wilkes, Robert D.	07/03/1990
5,118,418	Roussel, Jeffrey A.	06/02/1992
5,397,465	Stewart, Howard M.	03/14/1995
5,435,020	Maskell, Bruce W. Davis, Bob A.	07/25/1995
D226,042	Jacuzzi, R. Kosta, P.	01/16/1973
D231,032	Jacuzzi, R. Kosta, P.	03/26/1974
D237,709	Jacuzzi, R. Kosta, P.	11/18/1975
D247,977	Jacuzzi, R.	05/23/1978
D247,978	D'Innocente, Ralph	05/23/1978
D252,042	Jacuzzi, V.J. Burgess, J.D.	06/05/1979
D252,467	Jacuzzi, R. D'Innocente, Ralph	07/24/1979
D255,932	D'Innocente, Ralph Jacuzzi, Roy A.	07/15/1980
D260,288	D'Innocente, Ralph Janosko, Richard L.	08/18/1981
D264,626	D'Innocente, Ralph Janosko, Richard L.	05/25/1982
D266,405	Jacuzzi, R. Kosta, P.	02/27/1973
D283,679	D'Innocente, Ralph Drasin, Larry	11/11/1986
D288,239	D'Innocente, Ralph Krasin, Larry	02/10/1987
D301,374	D'Innocente, Ralph	05/30/1989
D305,061	Pauls, James R. D'Innocente, Ralph	12/12/1989
D305,062	Jacuzzi, Roy A. Pauls, James R. D'Innocente, Ralpph	12/12/1989
D305,063	Jacuzzi, Roy A. D'Innocente, Ralph Pruscha, Peter K.	12/12/1989

D308,574	D'Innocente, Ralph Pruscha, Peter K. Jacuzzi, Roy A.	06/12/1990
D310,415	D'Innocente, Ralph Pauls, James R.	09/04/1990
D333,699	Jacuzzi, Roy A. Hunger, Darrell M. D'Innocente, Ralph	03/02/1993
D341,190	Pauls, James R. D'Innocente, Ralph	11/09/1993
D346,015	Maskell, Bruce W. D'Innocente, Ralph Jacuzzi, Roy A.	04/12/1994
D346,434	Hunger, Darrell M. Jacuzzi, Roy A. D'Innocente, Ralph	04/26/1994
D356,627	Maskell, Bruce W.	03/21/1995
D360,023	Hunger, Darrell A. D'Innocente, Ralph Pauls, Jim R. Jacuzzi, Roy A. Weeks, Philip J. Johnson, G. David	07/04/1995
D363,060	Hunger, Darrell A. D'Innocente, Ralph	10/10/1995
D365,144	Gruber, Bernd Jacuzzi, Roy A.	12/12/1995
D365,385	Hunger, Darrell A. D'Innocente, Ralph Pauls, Jim R. Jacuzzi, Roy A. Weeks, Philip J. Johnson, G. David	12/19/1995
D366,516	Stewart, Howard M.	01/23/1996
D367,520	Jacuzzi, Roy A. D'Innocente, Ralph Hunger, Darrell A.	02/27/1996
D370,534	Hunger, Darrell A. D'Innocente, Ralph	06/04/1996
D372,520	Jacuzzi, Roy A. D'Innocente, Ralph	08/06/1996

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75/359570	PUMP WORKS	09/19/1997
74/667522	TIVOLI	04/27/1995
75/509545	TYPHOON	06/19/1998
75/288657	WELL DONE	05/08/1997
75/359569	Unknown Design Mark	09/19/1997

APPENDIX C
IN USE OR INTENDED TO BE USED TRADEMARKS OF JACUZZI INC.
as of June 30, 1998

Product Names

ADONIS	BLUSH	DAPHNE
ADVANTAGE SERIES	BONAIRE	DEA
AERO PLUS	BRAVA	DEMETER
AERO SELECT	BRILLIANT	DIAMOND
ALENA	CAMBIO	DIANA
ALEXA SELECT	CAMEO	DIVA
ALITE	CAPRI	DONSON
ALLEGRA	CASCATA	ELAN
ALVEA	CELINA	EMERALD
AMBRA	CENTENNIAL COLLECTION	EMPRESS
AMIGA	CETRA CABIN	ESCAPE
ANTIGUA	CETRA CRISTALLI	ESPRIT
AQUAJET	CETRA DREAM	ESTATE
AQUANIQUE	CIVA	ETERNA
ASTRA	COMFORT WAVE	EURA
ASTREA	CORISCA	EURO
ATLANTA	CORNEL	EUROPA
AVANTI	COSMO	EXECUTIVE
AVANZA	CRESTA	FIORE
BELLA	CYNTHIA	FLORA
BELLATISTA (THE)	DAHLIA	FLUSSO
BIELLA	DALIA	FONTANA

GENUINE BRAND	L'ETOILE	NOVA
GRAND	LASER	NUANCE
HERITAGE SERIES	LASER SELECT	OMNI
HYDRO POWER	LEGEND	ONYX
HYDRO SHOWER	LIRIA	OPAHLIA
HYDROW TOWER	LITO	OPALIA
IRON MAN	MANET	OPTICA
J-100	MATISSE	PASSPORT
J-90	MAUREA	PINNACLE
J-ALLURE	METRO	PLATINUM PLUS
J-CARRÉ	MILANO	POLARA
J-DEA	MILLENNIUM	POWERPRO SHOWER SYSTEM
J-DREAM	MIRA	POWERShower
J-DREAM TURBO CARRÉ	MISTA	POWERWAVE
J-DREAM TURCO CARRÉ	MODEL 310	PRANA
J-POWER SHOWER	MODEL 315	PRESAGE
J-SHA	MODEL 320	PRESTIGE
J-Shower TOWER	MODEL 340	PRIMA
J-SPORT	MODEL 345	PRISMA
J-TWIN	MODEL 350	PROFILE
J-TWIN	MOLET	PULSAR
J-TWIN SHOWER	MYA	QUADRA
J-TWIN TOWER	NAUTICA	QUANTA
J-UNO TWIN	NEO	QUANTAR
JADA	NEO ANGLE	QUARZ
JUNO	NIVEO	QUENTA

QUESTRA	TRANQUILLITY
RAPID HEAT AND DESIGN	TREVI
RENAISSANCE	TRIAD
RENATA	TRIADE
RUBY	TWIN
SANTINA SELECT	VANTAGE 532
SEA CREST	VENETIA
SELECT	VENICIA
SELINA	VENTERRA
SELVA	VENUS
SEQUOIA	VIAGGI
SERENITY	VIANTE
SHOWERITE	VIANTE GRANDE
SIENNA	VIRAGE
SOLARIS	VISTA
SOLARIS SELECT	VORTICE
SOLUZIONE	WAFEFLOW
STELLARIA	WATER CASCADE
STYLOS	WATER RAINBOW LS
SUPER METRO	WATER RAINBOW ULTRA
TARA	WAVEPRO
THAIS	
THE 380	
THE ART OF BATHING	
TORINO	
TRADITION	



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Washington, D.C. 20231

JUNE 02, 1999

PTAS

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101003997A

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