

11-16-1999

DT

IN THE UNITED STATES



MARK OFFICE

101200497

IN RE REGISTRATION OF : J. Philip Humfrey
International Inc.

FOR THE MARK : **EXCALIBUR**

REG. NO. : 1,388,059

REG. DATE : April 1, 1986

ATTORNEY DOCKET NO. : SMB 5 0845

Cleveland, Ohio 44114-2518
November 5, 1999

NOV 06 1999

11/8/99

RECORDATION FORM COVER SHEET

Commissioner of Patents
and Trademarks
Washington, DC 20231

Dear Sir:

Please record the attached original document or copy thereof.

1. Name of conveying Party(ies):

J. Philip Humfrey International Inc.

Entity:

___ Individual(s) ___ Association
 ___ General Partnership ___ Limited Partnership
X Corporation-State Canada
 ___ Other _____

2. Name and Address of receiving Party(ies):

Name: Sommerville Design & Mfg. Inc.
 Street Address: 940 Brock Road

 City: Pickering, Ontario
 State: CANADA ZIP: L1W 2A1

11/12/1999 DC/DATES 00000166 1388059 40.00 DP
01 FC:561

Entity:

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

If assignee is not domiciled in the United States, a domestic representative designation is attached:

Yes No

(Designation must be a separate document from Assignment.)

3. Nature of Conveyance:

Assignment Change of Name
 Security Agreement Merger

Other _____

Execution Date: August 20, 1999

4. Application number(s) or registration number(s).
Additional sheet attached? Yes No

A. Trademark Appl. No.(s) B. Trademark Reg. No.(s)
_____ 1,388,059

Additional numbers attached? Yes No

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

Name: James W. McKee

Firm: Fay, Sharpe, Fagan,

Minnich & McKee, LLP

Address: 1100 Superior Avenue

Seventh Floor

City: Cleveland

State: Ohio ZIP: 44114-2518

6. Total number of applications and registrations involved: 1

7. Total fee (37 C.F.R. 3.41): \$ 40.00^E

Enclosed

Authorized to be charge to deposit account

8. Deposit Account Number (attach duplicate copy of this form if paying by Deposit Account): _____

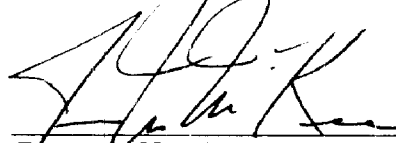
DO NOT USE THIS SPACE

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.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & MCKEE, LLP



November 5, 1999

Date

James W. McKee
1100 Superior Avenue
Seventh Floor
Cleveland, OH 44114-2518
(216) 861-5582

Total number of pages including cover sheet, attachments, and document: 7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Registration of

Mark : EXCALIBUR

Registration No. : 1,388,059

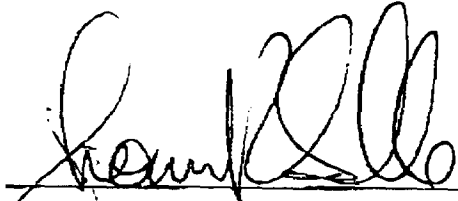
Registration Date : April 1, 1986

Attorney Docket No. :

APPOINTMENT OF DOMESTIC REPRESENTATIVE

SOMMERVILLE DESIGN & MFG. INC., as the owner of U.S. Trademark Registration No. 1,388,059 for the mark EXCALIBUR, hereby appoints James W. McKee, Esq. of the firm of FAY, SHARPE, BEALL, FAGAN, MINNICH & MCKEE, 1100 Superior Avenue, Suite 700, Cleveland, Ohio 44114-2518, U.S.A. as its domestic representative with the United States Patent and Trademark Office for all transactions relating to Trademark Registration No. 1,388,059, said appointment being made on behalf of the company by the undersigned authorized officer thereof.

SOMMERVILLE DESIGN & MFG. INC.

by 

Date: OCT 26/99

Name: THOMAS R. SOMMERVILLE
 Title: PRESIDENT

ASSIGNMENT OF U.S. TRADE-MARK REGISTRATION

WHEREAS, J. PHILIP HUMFREY INTERNATIONAL INC., having its principal place of business located at 29 Passmore Avenue, #6, Scarborough, Ontario, M1V 3H5, had adopted, used and is using the trade-mark(s) which is/are registered in the United States Patent Office as Registration Number 1,388,059, for the trade-mark EXCALIBUR; and

WHEREAS SOMMERVILLE DESIGN & MFG. INC., a corporation created under the laws of the Province of Ontario, Canada, having its principal office located at 940 Brock Road, Pickering, Ontario, L1W 2A1, is desirous of acquiring said trade-mark including the registration thereto.

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged by J. Philip Humfrey International Inc., the aforesaid, assigns and transfers all its right, title and interest in and to the said trade-mark together with the goodwill of the business symbolized by said trade-mark and all causes of action, claims and demands or other rights for,

or arising from any infringement, including past infringements of said trade-mark and the registration thereto.

EXECUTED at Milton Ontario, as at the 20th day of August, 1999.

J. PHILIP HUMFREY INTERNATIONAL INC.

By: [Signature] c/s
Name:
Title: Manager

EXECUTED at Pickering Ontario, as at the 2nd day of September, 1999.

SOMMERVILLE DESIGN & MFG. INC.

By: [Signature] c/s
Name:
Title: PRESIDENT