

06-08-2001

FORM PATENT AND TRADEMARK OFFICE-1594



TEET

U.S. DEPARTMENT OF

101742519

PATENT AND TRADEMARK OFFICE

TO THE HONORABLE COMMISSIONER OF PATENTS A

RECORD ATTACHED ORIGINAL DOCUMENTS OR COPY THEREOF

1. NAME OF CONVEYING PARTY(IES):

FFC ACQUISITION, L.P.

\_\_\_ INDIVIDUAL(S) \_\_\_ ASSOCIATION  
\_\_\_ GENERAL PARTNERSHIP \_\_\_ LIMITED PARTNERSHIP  
\_\_\_ CORPORATION-STATE OF  
\_\_\_ OTHER

ADDITIONAL NAME(S) OF CONVEYING PARTY(IES) ATTACHED? Yes X No

3. NATURE OF CONVEYANCE:

ASSIGNMENT \_\_\_ MERGER  
\_\_\_ SECURITY AGREEMENT \_\_\_ CHANGE OF NAME  
\_\_\_ OTHER

EXECUTION DATE: June 23, 2000

2. NAME AND ADDRESS OF RECEIVING PARTY(IES):  
NAME:

FI-FOIL COMPANY, INC.

INTERNAL ADDRESS:

STREET ADDRESS:

612 Bridgers Road West  
Auburndale, FL 33823

\_\_\_ INDIVIDUAL(S) CITIZENSHIP  
\_\_\_ ASSOCIATION  
\_\_\_ GENERAL PARTNERSHIP  
\_\_\_ LIMITED PARTNERSHIP  
\_\_\_ CORPORATION-STATE OF FLORIDA  
\_\_\_ OTHER

IF ASSIGNEE IS NOT DOMICILED IN THE UNITED STATES, A DOMESTIC REPRESENTATIVE DESIGNATION IS ATTACHED \_\_\_ YES \_\_\_ NO

ADDITIONAL NAME(S) AND ADDRESS(ES) ATTACHED? \_\_\_ YES X No

4. APPLICATION NUMBER(S) OR REGISTRATION NUMBER(S):

A. TRADEMARK APPLICATION No(s):

75/821,163  
75/821,164  
75/819,457

ADDITIONAL NUMBERS ATTACHED? \_\_\_ YES X No

B. TRADEMARK REGISTRATION No(s):

MRD 6/4/01

5. NAME AND ADDRESS OF PARTY TO WHOM CORRESPONDENCE CONCERNING DOCUMENT SHOULD BE MAILED:

NAME: C. Douglas McDonald  
INTERNAL ADDRESS: Carlton Fields, P.A.  
STREET ADDRESS: P. O. Box 3239  
Tampa, FL 33601-3239

6. TOTAL NUMBER OF APPLICATIONS AND REGISTRATIONS INVOLVED:

3

7. TOTAL FEE (37 CFR 3.41) .....\$ 120.00

ENCLOSED  
 AUTHORIZED TO BE CHARGED TO DEPOSIT ACCOUNT<sup>1</sup>  
<sup>1</sup>NOTE: (ONLY IF AMOUNT ENCLOSED IS INCORRECT)

8. DEPOSIT ACCOUNT NUMBER:

03-0683

(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.

C. Douglas McDonald

SIGNATURE

6/1/01

DATE

TOTAL NUMBER OF PAGES COMPRISING COVER SHEET: 1

Refund Ref:  
06/07/2001 6TON11 0000105925

CHECK Refund Total: \$30.00

06/07/2001 6TON11 00000066 75821163

01 FC:481 40.00 OP  
02 FC:482 50.00 OP

TPA#1591917.01

TRADEMARK  
REEL: 002310 FRAME: 0975

## **ASSIGNMENT OF SERVICEMARKS AND TRADEMARKS**

**ASSIGNMENT OF SERVICEMARKS AND TRADEMARKS** (this "Assignment") made as of the 23rd day of June, 2000, by FFC Acquisition, L.P., a Delaware limited partnership ("Assignor"), to Fi-Foil Company, Inc., a Florida corporation ("Assignee").

### **RECITALS**

**WHEREAS**, Assignee and Assignor are parties to an Asset Purchase Agreement dated as of June 23, 2000 (the "Agreement"), pursuant to which Assignor has agreed to sell to Assignee and Assignee has agreed to buy from Assignor the servicemarks, trademarks and trade names of Assignor; and

**WHEREAS**, in accordance therewith, Assignor desires to transfer and assign to Assignee, and Assignee desires to accept the transfer and assignment of, all of Assignor's worldwide right, title and interest in, to and under Assignor's registered and unregistered domestic and foreign servicemarks, trademarks, servicemark and trademark applications and trade names listed on **Schedule A** annexed hereto and incorporated herein by reference (all of the foregoing being referred to herein as the "Marks").

### **OPERATIVE TERMS**

**NOW, THEREFORE**, for and in consideration of the mutual covenants contained herein and in the Agreement and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby transfers and assigns to Assignee, and Assignee hereby accepts the transfer and assignment of, all of Assignor's worldwide right title and interest in, to and under the Marks, together with the goodwill of the business associated therewith and which is symbolized thereby, all claims, causes of actions and remedies with respect to infringement of any and all of the Marks, whether arising prior to or

subsequent to the date of this Assignment, and any and all renewals and extensions thereof that may hereafter be secured under the laws now or hereafter in effect in the United States, Canada and in any other jurisdiction, the same to be held and enjoyed by the Assignee, its successors and assigns from and after the date hereof as fully and entirely as the same would have been held and enjoyed by the Assignor had this Assignment not been made.

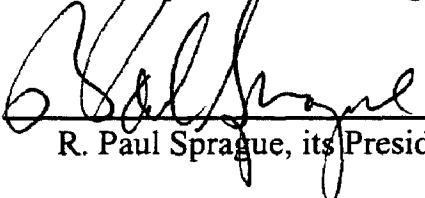
This Assignment shall be governed by and construed in accordance with the federal laws, and the laws of the State of Florida without giving effect to the principles of conflicts of laws thereof.

**IN WITNESS WHEREOF**, Assignor has executed this Assignment as of the date first above written.

**ASSIGNOR:**


FFC ACQUISITION, L.P.,  
a Delaware limited partnership

By: WARWICK FI-FOIL, INC.,  
a Delaware corporation, its sole general partner

By:   
R. Paul Sprague, its President

**ASSIGNEE:**

FI-FOIL COMPANY, INC.,  
a Florida corporation

By:   
Name: Doug Van Dier  
Title: President

SCHEDULE A

Registered Servicemarks and Trademarks

<u>Servicemark or Trademark</u>	<u>Registration No.</u>	<u>Registration Date</u>
R-11 FI-FOIL SILVER SHIELD INSULATION B-3	T07,979 (Florida)	9/17/87
R-5 FI-FOIL VAPOR SHIELD INSULATION A A- 2	T07,981 (Florida)	9/17/87
INSOLUTION	T,981,001 (Florida)	8/31/98
FI-FOIL RADIANT SHIELD PREMIUM GRADE RADIANT BARRIER	T07,980 (Florida)	9/17/87
THERMOFOIL		
REFLECTAL		

Unregistered Marks

FFC

B-3 SILVER SHIELD

MB SHIELD

FSK SHIELD

RBI SHIELD

REFLECTIVE BUBBLE  
INSULATION SHIELD

RADIANT SHIELD

RETRO-SHIELD

SILVER SHIELD HIGH  
RESOLUTION

Pending Servicemarks or Trademark Applications

<u>Servicemark or Trademark</u>	<u>Application Number</u>	<u>Application Date</u>
FI-FOIL COMPANY RADIANT INSULATION SOLUTIONS	75-821-,163	10/12/99
FI-FOIL COMPANY	75-821,164	10/12/99
INSOLUTION	75-819,457 (Federal)	10/12/99