



RF
T

07-20-2001



101784154

Docket No.: *125*

Tab settings

To the Honorable Commissioner of Patents

ched original documents or copy thereof.

1. Name of conveying party(ies):

Borden, Inc.

7-1307

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

Name: **BDH Two, Inc. (now known as BDS Two, Inc.)**

Internal Address: **2711 Centerville Road**

Street Address: **One Little Falls Centre, Suite 202**

City: **Wilmington** State: **DE** ZIP: **19808**

Individual(s) citizenship

Association

General Partnership

Limited Partnership

Corporation-State **Delaware**

Other

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

(Designations must be a separate document from

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

- Individual(s)
- General Partnership
- Corporation-State **New Jersey**
- Other

Additional names(s) of conveying party(ies) Yes No

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other **Confirmatory Trademark Assignment Nunc Pro Tunc**
- Merger
- Change of Name

Execution Date: **Effective September 28, 1990**

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

821,224

Additional numbers Yes No

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

Name: **Cory M. Amron, Esquire**

Internal Address: **Vorys Sater Seymour and Pease LLP**

Street Address: **1828 L Street, N.W.; 11th Floor**

City: **Washington** State: **DC** ZIP: **20036**

6. Total number of applications and registrations involved: **1**

7. Total fee (37 CFR 3.41): \$ **40.00**

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

22-0585

DO NOT USE THIS SPACE

07/19/2001 BYRNE 00000130 821224

01 FC:481

40.00 00

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.

Cory M. Amron

Name of Person Signing

Cory Amron

Signature

July 13, 2001

Date

Total number of pages including cover sheet, attachments, and

TRADEMARK

4

CONFIRMATORY TRADEMARK ASSIGNMENT
NUNC PRO TUNC

WHEREAS, Borden, Inc., a New Jersey corporation ("Assignor"), located and doing business at 180 East Broad Street, Columbus, Ohio is the record title owner of all right, title and interest in the Trademark listed in Exhibit A, which exhibit is made a part hereof and incorporated herein by reference.

WHEREAS, BDH Two, Inc., a Delaware corporation (now merged into, and known as BDS Two, Inc.) ("Assignee"), located and doing business at 2711 Centerville Road, One Little Falls Centre, Suite 202, Wilmington, Delaware has acquired the Trademark as of September 28, 1990.

WHEREAS, Assignor and Assignee desire to reflect said assignment in the title records of the U.S. Trademark Office.

NOW, THEREFORE, for and in consideration of the sum of ten dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby assign, convey and transfer unto the said Assignee, nunc pro tunc as of September 28, 1990, all right and title and interest in and to the Trademark, together with the goodwill of the business symbolized by the Trademark and the registrations and applications thereof.

Assignor further assigns unto Assignee all right to sue for and to receive all damages accruing from past infringement of the Trademark.

Assignor undertakes that upon the request of Assignee or its designees, it and/or its successor in business, shall make all rightful oaths, testify on behalf of Assignee or its designees in matters involving the subject trademarks and do all other lawful acts

necessary to carry out the intent of this assignment as well as to provide such other material, information and assistance to Assignee or its designees, as well be considered necessary in connection therewith.

IN WITNESS WHEREOF, the undersigned has caused this assignment to be executed effective as of the 28th day of September, 1990.

STATE OF OHIO)
)
COUNTY OF FRANKLIN) ss

By: BORDEN, INC.

By: Ellen German Berndt

Name: Ellen German Berndt

Title: Secretary

On this 3rd day of July, 2001, before me appeared Ellen German Berndt, the person who signed this instrument who acknowledged that she signed it as a free act on behalf of BORDEN, INC.

(Notary Seal)

Elizabeth M. Beckley

Notary Signature
ELIZABETH M. BECKLEY
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 09-05-05

My Commission Expires

EXHIBIT A

MARK	REG. NUMBER	REG. DATE
CREAMETTES	821,224	December 27, 1966