

04-16-2003

Form PTO-1594 (Rev. 10/02) OMB No. 0651-0027 (exp. 6/30/2005)

RE



U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

Tab settings

102421538

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

M & G MANUFACTURING COMPANY INC.

4-14-03

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

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

3. Nature of conveyance:

- Assignment Merger Security Agreement Change of Name Other

Execution Date: 05/12/1995

2. Name and address of receiving party(ies)

Name: Monarch Manufacturing Company

Internal

Address:

Street Address: 2890 R Avenue

City: Adel State: IA Zip: 50003

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

B. Trademark Registration No.(s) 2,333,686;

2,302,700; 2,273,042

Additional number(s) attached Yes No

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

Name: Monarch Manufacturing Company

Internal Address:

Street Address: 2890 R Avenue

City: Adel State: IA Zip: 50003

6. Total number of applications and registrations involved:

3

7. Total fee (37 CFR 3.41) \$ 90.00

- Enclosed Authorized to be charged to deposit account

8. Deposit account number:

DO NOT USE THIS SPACE

9. Signature.

David S. Mulcahy

Name of Person Signing

Signature

April 3, 2003

Date

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

5

04/15/2003 TDI AZ1 00000114 2333686

Mail documents to be recorded with required cover sheet information to: Commissioner of Patent & Trademarks, Box Assignments Washington, D.C. 20231

01 FC:8521 02 FC:8522

40.00 OP 50.00 OP

TRADEMARK REEL: 002713 FRAME: 0127

**AFFIDAVIT REGARDING NAME OF  
MONARCH MANUFACTURING COMPANY**

STATE OF IOWA                    )  
  ) ss.  
COUNTY OF POLK                )

I, David S. Mulcahy, after being duly sworn upon my oath, depose and state as follows:

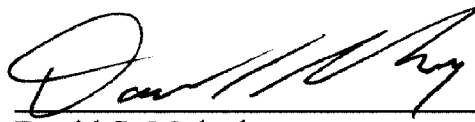
1. I am the Chairman of the Board of Monarch Manufacturing Company, an Iowa corporation (“**Monarch Manufacturing**”).
2. I am submitting this Affidavit to the United States Patent and Trademark Office (the “**PTO**”) to assist in the change of the name of the registered owner of the following trademarks: (the “**Trademarks**”):

<u>Mark</u>	<u>Number</u>	<u>Registration Date</u>
We Bring Life...	2,333,686	03/21/2000
Garden Step	2,302,700	12/21/1999
Stif Back	2,273,042	08/24/1999

3. All Trademarks are presently registered to M & G Manufacturing Company, Inc. (“**M & G Inc.**”) in the PTO records, but at no time was M & G Inc. the proper name of the owner of the Trademarks. M & G Manufacturing Company, without an “Inc.” at the end of its name (“**M & G Company**”), was the former name of Monarch Manufacturing, and the applications for the Trademarks were inadvertently filed using the M & G Inc. name. M & G Manufacturing Company formally changed its name to Monarch Manufacturing Company as evidenced by Articles of Amendment filed with the Iowa Secretary of State on May 12, 1995, a copy of which is attached hereto as Exhibit A and incorporated herein by this reference.

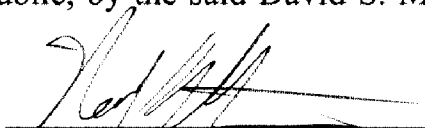
4. Monarch Manufacturing should be identified as the proper owner of the Trademarks in the PTO records pursuant to the following procedure:
- a. First, the owner name for the Trademarks must be changed from M & G Manufacturing Company, Inc. to M & G Manufacturing Company. Pursuant to Section 1201.02(c)(3) of the Trademark Manual of Examining Procedure, clerical errors in the name of the trademark applicant are considered correctable errors which may be revised without verification or declaration.
  - b. Second, the name of the owner of the Trademarks must be changed from M & G Manufacturing Company to Monarch Manufacturing Company. The Articles of Amendment attached hereto as Exhibit A reflect this name change, and Section 1201.02(c)(5) of the Trademark Manual of Examining Procedure provides that if the owner of a trademark legally changes its name before the filing an application with the PTO but mistakenly uses its former name on the application, the error is a correctable error which may be revised without verification or declaration.

Dated: April 3, 2003.

  
\_\_\_\_\_  
David S. Mulcahy

Subscribed to and sworn to before me, a Notary Public, by the said David S. Mulcahy this 3rd day of April, 2003.



  
\_\_\_\_\_  
Notary Public in and for the State of Iowa

113595

RECEIVED

ARTICLES OF AMENDMENT  
OF  
M & G MANUFACTURING COMPANY

MAY 12 1995  
SECRETARY OF STATE

TO THE SECRETARY OF STATE OF THE STATE OF IOWA:

Pursuant to Section 1006 of the Iowa Business Corporation Act, the undersigned corporation adopts these Articles of Amendment to its Articles of Incorporation, as amended.

1. The name of the corporation is M & G Manufacturing Company.

2. The following amendment to the Articles of Incorporation, as amended, was adopted by the shareholders of the corporation, in the manner prescribed by the Iowa Business Corporation Act:

The Articles of Incorporation of the Company, as amended, are hereby amended by deleting Article I in its entirety and substituting the following in lieu thereof:

ARTICLE I

The name of the corporation is Monarch Manufacturing Company.

3. The date of adoption of the amendment was April 19, 1995.

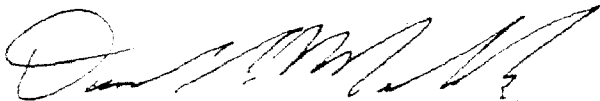
4. The amendment was approved by the shareholders. The designation, number of outstanding shares, number of votes entitled to be cast by each voting group entitled to vote separately on the amendment, and the number of votes of each voting group indisputably represented at the meeting is as follows:

Designation of Group	Shares Outstanding	Votes Entitled to be Cast on Amendment	Votes Represented at Meeting
Common	100,000	100,000	100,000

5. The total number of undisputed votes cast for the amendment by the sole voting group was 100,000. The number of votes cast for the amendment by the sole voting group was sufficient for approval by that voting group.

Dated: April 19, 1995.

M & G MANUFACTURING COMPANY

By:   
David S. Mulcahy, President

PAUL D. PATE  
Secretary of State  
FILED  
Date: 5-12-95  
Time: 3:59  
Receipt: 2776820

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# IOWA

No. W00076820  
Date: 05/16/1995

## SECRETARY OF STATE

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MONARCH MANUFACTURING COMPANY  
BRADFORD AUSTIN  
NYEMASTER LAW FIRM  
1900 HUB TOWER 699 WALNUT  
DES MOINES, IA 50309

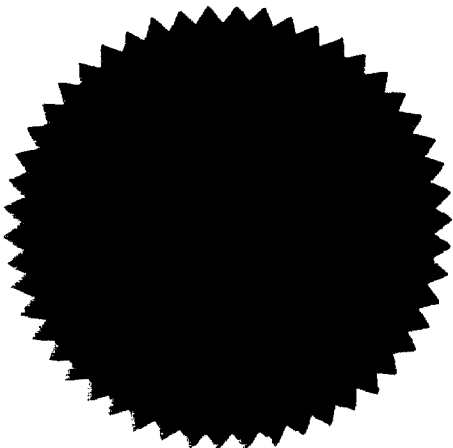
### ACKNOWLEDGMENT OF DOCUMENT FILED

The Secretary of State acknowledges receipt of the following document from the filing party named above:

Articles of Amendment

The document was filed on May 12, 1995, at 08:59 AM.

The amount of \$50.00 was received in full payment of the filing fee.



SECRETARY OF STATE

