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Form PTO-1595  
(Rev. 03/01)

OMB No. 0651-0027 (exp. 5/31/2002)

Tab settings ▼



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

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

1. Name of conveying party(ies):

Harmony Products, Inc.

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

3. Nature of conveyance:



Assignment



Merger



Security Agreement



Change of Name



Other State of VA UCC 1 &amp; 3 filing and Exhibit A

Execution Date: June 28, 2001

2. Name and address of receiving party(ies)

Name: Duke Capital Partners, LLC

Internal Address:

Street Address: 128 S. Tryon Street

Suite 1100

City: Charlotte State: NC Zip: 28202

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

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

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)

09/260,006

B. Patent No.(s)

4,109,019; 4,997,469; 5,021,247; 5,021,077; 5,087,474;  
5,240,490; 5,411,568Additional numbers attached? ☒ Yes ☐ No

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

Name: Andrew Y. Pang

Internal Address:

Street Address: Bank of America Plaza

101 South Tryon Street, Suite 3700

City: Charlotte State: NC Zip: 28280

6. Total number of applications and patents involved: 10

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



Enclosed



Authorized to be charged to deposit account

8. Deposit account number:

23-1951

(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.

Andrew Y. Pang

Name of Person Signing

Signature

8/2/01

Date

Total number of pages including cover sheet, attachments, and documents: 4

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231

08/29/2001 JILLIANE 00000003 4109019

01 FC:501

400.00 BP

PATENT  
REEL: 012103 FRAME: 0796

EXHIBIT A  
to UCC-1 FINANCING STATEMENT  
HARMONY PRODUCTS, INC., as Debtor and  
DUKE CAPITAL PARTNERS, LLC, as Secured Party

This financing statement covers the type of property described below:

- (a) All intellectual property of the Debtor, which is now owned or hereafter acquired by the Debtor or in which the Debtor now has or hereafter acquires any right, title, or interest, including, without limitation
  - (i) all of Debtor's technologies, computer software designs and applications (in various stages of development), programs, information systems, databases, works, source code, object code, websites, domain names, URLs, trade secrets, patents, patent rights, trademarks, trade names, copyrights and any other intellectual property, and all modifications, derivative works, enhancements and versions thereof, whether in written or electronic form, whether finalized or in development, together with all proceeds thereof;
  - (ii) the following patents and patent applications:
    - (A) U.S. Patent No. 4,109,019 (expired)
    - (B) U.S. Patent No. 4,997,469
    - (C) U.S. Patent No. 5,021,247
    - (D) U.S. Patent No. 5,021,077
    - (E) U.S. Patent No. 5,087,474
    - (F) U.S. Patent No. 5,240,490
    - (G) U.S. Patent No. 5,411,568
    - (H) U.S. Patent Application No. 09/260,006
    - (I) Australia Patent No. 654,795
    - (J) Australia Patent No. 626,510; and
  - (iii) the following trademarks and trademark applications:
    - (A) U.S. Trademark Registration No. 1825689
    - (B) U.S. Trademark Registration No. 2383917

- (C) U.S. Trademark Registration No. 2403388
- (D) U.S. Trademark Registration No. 2232522
- (E) U.S. Trademark Registration No. 1868510
- (F) U.S. Trademark Registration No. 1824001
- (G) U.S. Trademark Registration No. 1712865
- (H) U.S. Trademark Registration No. 1726851
- (I) U.S. Trademark Registration No. 2436816
- (J) U.S. Trademark Registration No. 2435039
- (K) U.S. Trademark Registration No. 1930513
- (L) U.S. Trademark Registration No. 1881071
- (M) Australian Trademark Registration No. B592425
- (N) Australian Trademark Registration No. B592426
- (O) Australian Trademark Registration No. B592427
- (P) Australian Trademark Registration No. B592534
- (Q) Australian Trademark Registration No. A592428
- (R) Australian Trademark Registration No. A592429
- (S) Australian Trademark Registration No. A592430
- (T) Australian Trademark Registration No. A592533
- (U) Canadian Application for Registration of a Trademark in the mark "Top Coat"
- (V) Canadian Application for Registration of a Trademark in the mark "Complete Turf and Landscape"

- (b) All rights held by the Debtor in all license agreements entered into between the Debtor and all of its Subsidiaries.

Filed With: Chesapeake City

THE SECURED PARTY DESIRES THIS FINANCING STATEMENT TO BE INDEXED AGAINST THE RECORD OWNER  
OF THE REAL ESTATE NO (x) YES ( ) NAME OF RECORD OWNER \_\_\_\_\_

STATE CORPORATION COMMISSION  
(Uniform Commercial Code Division, Box 1197, Richmond, Virginia 23209)  
FORM FOR ORIGINAL FINANCING STATEMENT AND SUBSEQUENT STATEMENTS

The Commission stamps the File Number on the Original Financing Statement. The secured party must place this same number on all subsequent statements.

010628 7167

Index numbers of subsequent statements (For office use only)

Name & mailing address of all debtors, trade styles, etc.  
No other name will be indexed.

Harmony Products, Inc.  
c/o McCandlish Kaine  
1111 E. Main St., Suite 1500  
Richmond, VA 23218

Check the box indicating the kind of statement.  
Check only one box.

- (x) ORIGINAL FINANCING STATEMENT  
( ) CONTINUATION-ORIGINAL STILL EFFECTIVE  
( ) AMENDMENT  
( ) ASSIGNMENT  
( ) PARTIAL RELEASE OF COLLATERAL  
( ) TERMINATION

Name & address of Secured Party

Duke Capital Partners, LLC  
128 S. Tryon St.  
Suite 1100  
Charlotte, NC 28202

Name & address of Assignee

Date of maturity if less than five years

Check if proceeds of collateral are covered ( )

Description of collateral covered by original financing statement  
See Exhibit A attached hereto and made a part hereof.

No. of Additional Sheets Presented:

Space to record an amendment, assignment, release of collateral or a statement to cover collateral brought into Virginia from another jurisdiction.

Describe Real Estate if applicable:

Harmony Products, Inc.

*Thomas W. McCandlish*

Signature of Debtor if applicable (Date)  
Thomas W. McCandlish, Chief Executive Officer

Signature of Secured Party if applicable (Date)

Return To  
CT Corporation System  
UCC Division  
17 South High St. #1100  
Columbus OH 43215

Revised 7-1-82

VA 1-112197

PATENT

RECORDED: 08/07/2001

REEL: 012103 FRAME: 0799