

07-13-1998

D

Docket No.:

3711

Tab settings



JUN 23 1998

To the Honorable Commissioner of Patent

100762039

Attached original documents or copy thereof.

MEMO 6-23-98

1. Name of conveying party(ies):

The Sherwin-Williams Company
101 Prospect Avenue, NW
Cleveland, OH 44115-1075

- Individual(s)
- General Partnership
- Corporation-State Ohio
- Other

- Association
- Limited Partnership

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

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other
- Merger
- Change of Name

Execution Date: May 1, 1998

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

Name: SWIMC, Inc.

Internal Address: Suite 522

Street Address: 300 Delaware Avenue

City: Wilmington State: DE ZIP: 19801

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 N
(Designations must be a separate document from Additional name(s) & address(es) Yes N

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

A. Trademark Application No.(s)

74/578607	75/424092	75/129097
75/423899	75/391887	75/165938
75/423936	74/482273	74/535988

B. Trademark Registration No.(s)

2,099,765	2,125,927
2,125,887	2,126,382
2,126,383	2,092,049

Additional numbers Yes No

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

Name: Robert E. McDonald, Esq.

Internal Address: The Sherwin-Williams Company

1100 Midland Bldg. - Legal Dept.

Street Address: 101 Prospect Avenue, NW

City: Cleveland State: OH ZIP: 44115

6. Total number of applications and registrations involved:

24

7. Total fee (37 CFR 3.41):.....\$ \$615.00

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

19-5137

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.

Donald J. Puglisi

Name of Person Signing

Donald J. Puglisi
Signature

4/28/98
Date

TRADEMARK

Total number of pages including cover sheet, attachments, and

10

0000043 195137 2099765
01 FC:461
02 FC:402

**RECORDATION FORM COVER SHEET
TRADEMARKS ONLY**

4A. continued

75/236478	75/567677	75/219165
75/238092	75/236479	75/423881
75/976025	75/311737	75/311738

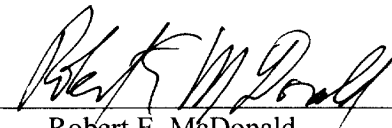
ASSIGNMENT AGREEMENT

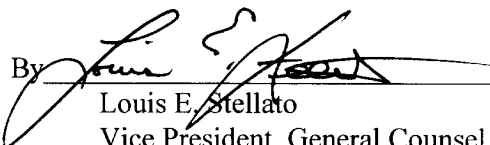
KNOW ALL MEN BY THESE PRESENTS, that The Sherwin-Williams Company, an Ohio corporation with its principal place of business at 101 Prospect Avenue NW, Cleveland, Ohio 44115-1075, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, does hereby assign, transfer and convey unto SWIMC, Inc., a Delaware corporation with its only place of business at 300 Delaware Avenue, New Castle County, Wilmington, Delaware 19801, all of its ownership right, title and interest in and to the tradenames, trademarks and service marks and all goodwill associated therewith, together with all registrations thereof and pending applications therefor (collectively, the "Trademarks"), described in the attached Schedule A.

IN WITNESS WHEREOF, The Sherwin-Williams Company, through its authorized officers, has executed this instrument, effective as of this 1st day of May, 1998, and affixed its corporate seal hereunto.

[SEAL]
Attest:

THE SHERWIN-WILLIAMS COMPANY

By 
Robert E. McDonald
Associate General Counsel

By 
Louis E. Stellato
Vice President, General Counsel
and Secretary

STATE OF OHIO)
) SS.
COUNTY OF CUYAHOGA)

On the 29th day of April, 1998, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LOUIS E. STELLATO, who acknowledged himself to be the VICE PRESIDENT, GENERAL COUNSEL AND SECRETARY of The Sherwin-Williams Company, an Ohio corporation, and that he, as such officer being authorized to do so, executed the foregoing ASSIGNMENT AGREEMENT for the purposes therein contained by signing the name of the corporation by himself as such officer.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



NOTARY PUBLIC

DEBORAH G. PANKIW
Notary Public, State of Ohio, Cuy. Cty
My Commission Expires Aug. 21, 1999

Schedule A

U.S. PENDING TRADEMARKS

<u>Trademark</u>	<u>Ser. No.</u>	<u>Filing Date</u>
ADVANTAGE PLUS	74/578607	26SEP94
CORPORATE ID	75/423899	27JAN98
CORPORATE ID	75/423936	27JAN98
COVER THE EARTH	75/424092	27JAN98
ED DWIGANS	75/391887	18NOV97
HOUSE DESIGN (W/COLOR)	74/482273	24JAN94
MAINTENANCE PRO	75/129097	02JUL96
MOISTURE BLOCK	75/165938	13SEP96
POXY-GLO	74/535988	10JUN94
QUALI-KOTE	75/236478	05FEB97
RENAISSANCE DIAMOND COLLECTION	75/238092	07FEB97
ROOM BY ROOM	75/976025	15AUG94
ROOM BY ROOM	75/567677	30AUG94
SALON	75/236479	05FEB97
SEAL (+DESIGN)	75/311737	19JUN97
THOMPSON'S	75/219165	28DEC96
THOMPSONIZED	75/311738	19JUN97
THOMPSONIZED (STYLIZED)	75/423881	27JAN98

U.S. REGISTERED TRADEMARKS

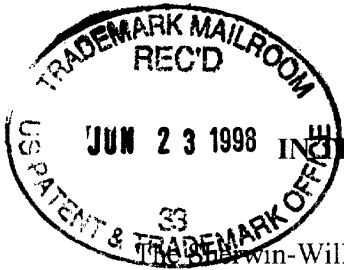
<u>Trademark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>
ADVANTAGE	2,099,765	23SEP97
HOUSE DESIGN	2,125,887	30DEC97
HOUSE DESIGN	2,126,383	30DEC97
ROOM BY ROOM (+DESIGN)	2,125,927	30DEC97
ROOM BY ROOM (+DESIGN)	2,126,382	30DEC97
SHARKGRIP	2,092,049	26AUG97

CANADIAN PENDING TRADEMARKS

<u>Trademark</u>	<u>Ser. No.</u>	<u>Filing Date</u>
SEAL (+DESIGN)	UNKNOWN	UNKNOWN
THOMPSONIZED	805,416	26FEB96
THOMPSONIZED (STYLIZED)	UNKNOWN	UNKNOWN

CANADIAN REGISTERED TRADEMARKS

<u>Trademark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>
COPOLYCARVITOL	TMA273965	19NOV82
THOMPSON'S	TMA294070	17AUG84
THOMPSON'S WATER SEAL (+ DESIGN)	TMA313554	25APR86
WATER SEAL	TMA299553	01FEB85



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Win-Williams Company)
Conveying Party,)
and)
SWIMC, Inc.)
Receiving Party.)

Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

CERTIFICATE OF MAILING

"Express Mail" mailing label number EM481104959US
Date of Deposit June 23, 1998

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.

Debbie Pankiw
(Typed or printed name of person mailing paper or fee)

Debbie Pankiw
(Signature of person mailing paper of fee)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

**REQUEST FOR RECORDATION OF ASSIGNMENT
AND APPOINTMENT OF ATTORNEYS OF RECORD**

Dear Sir:


Enclosed please find a copy of an assignment document designated "ASSIGNMENT AGREEMENT", dated May 1, 1998, in which the following U.S. trademark registrations and pending trademark applications were assigned from The Sherwin-Williams Company to SWIMC, Inc.:

<u>MARK</u>	<u>REG. NO. (SER. NO.)</u>
ADVANTAGE	2,099,765
ADVANTAGE PLUS	(74/578607)
CORPORATE ID	(75/423899)
CORPORATE ID	(75/423936)
COVER THE EARTH	(75/424092)
ED DWIGANS	(75/391887)
HOUSE DESIGN (W/COLOR)	(74/482273)
HOUSE DESIGN	2,125,887
HOUSE DESIGN	2,126,383
MAINTENANCE PRO	(75/129097)
MOISTURE BLOCK	(75/165938)
POXY-GLO	(74/535988)
QUALI-KOTE	(75/236478)
RENAISSANCE DIAMOND COLLECTION	(75/238092)
ROOM BY ROOM	(75/976025)
ROOM BY ROOM	(75/567677)
ROOM BY ROOM (+DESIGN)	2,125,927
ROOM BY ROOM (+DESIGN)	2,126,382
SALON	(75/236479)
SEAL (+DESIGN)	(75/311737)
SHARKGRIP	2,092,049
THOMPSON'S	(75/219165)
THOMPSONIZED	(75/423881)
THOMPSONIZED (STYLIZED)	(75/311738)

SWIMC, Inc., having an address at 300 Delaware Avenue, Suite 522, Wilmington, Delaware 19801, respectfully requests that the attached assignment be made of record for each of the above-identified trademark registrations and pending trademark applications.

The undersigned, acting on behalf of SWIMC, Inc., hereby appoints ROBERT E. McDONALD, Reg. No. 29,193; HEIDI A. BOEHLEFELD, Reg. No. 34,296; and VIVIEN Y. TSANG, Reg. No. 40,209, whose address is The Sherwin-Williams Company, 101 Prospect Avenue, NW, Cleveland, Ohio 44115-1075, and whose telephone number is (216) 566-2432, its attorney and associate attorneys, with full power of substitution and revocation to transact all business in the Patent and Trademark Office in connection therewith.

Respectfully submitted,
SWIMC, INC.

By  _____
Donald J. Puglisi
President

**RECORDATION FORM COVER SHEET
TRADEMARKS ONLY**

4A. continued

75/236478	75/567677	75/219165
75/238092	75/236479	75/423881
75/976025	75/311737	75/311738