

11-16-1998

Docket No.:

3711

10/6/98



100826659

Tab settings

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

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 *See letter*
- 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)

74/567677

Additional numbers

B. Trademark Registration No. (s)

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:

1

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

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number

Change

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

Date

Total number of pages including cover sheet, attachments and

TRADEMARK

REF: 1776 FRAME 0093

07-13-1998

Docket No.:

3711

JUN 23 1998



D

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To the Honorable Commissioner of Patent

100762039

Attached original documents or copy thereof.

1776 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

Total number of pages including cover sheet, attachments, and

10

0000043 195337 2099765
01 FC:481 40.00 CH
02 FC:462 575.00 CH

**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.

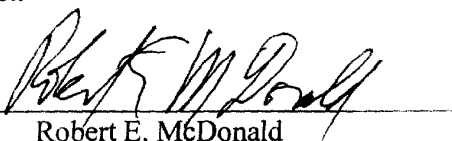
IN WITNESS WHEREOF, The Sherwin-Williams Company, through its authorized officers, has executed this instrument, effective as of this 1st day of May, 1998, and affixed its corporate seal hereunto.

[SEAL]

Attest:

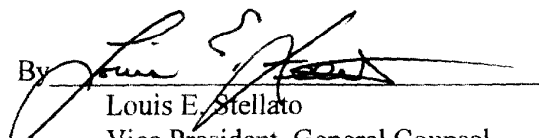
THE SHERWIN-WILLIAMS COMPANY

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 |

498SWS214

RECORDED: 10/06/1998

TRADEMARK
REEL: 1776 FRAME: 0099