

12-22-1998

ET

Docket No.:

MED
12-7-98



Y

3711

Tab settings

100927012

To the Honorable Commissioner of Patents and Trademarks, attached original documents or copy thereof.

1. Name of conveying party(ies):
The Sherwin-Williams Company
101 Prospect Avenue, NW
Cleveland, Ohio 44115-1075

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

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

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 No
(Designations must be a separate document from
Additional name(s) & address(es) Yes No

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other _____

Execution Date: **November 1, 1998**

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

A. Trademark Application No.(s)

75/454486	75/447403	75/497808
75/261495	75/473854	74/532608
75/412544	75/473858	75/138374

Additional numbers Yes No

B. Trademark Registration No.(s)

1,122,617	1,185,339	1,116,795
1,117,032	1,117,031	
2,056,434	1,135,970	

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: **22**

7. Total fee (37 CFR 3.41): \$ **565.00**

Enclosed
 Authorized to be charged to deposit account

8. Deposit account number:
19-5137

12-07-1998
U.S. Patent & TMO/TM Mail Rcpt Dt. #70

12/16/1998 JSHABAZZ 00000086 195137 75454486

DO NOT USE THIS SPACE

01 FC:481 40.00 CH
02 FC:482 525.00 CH

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 *Donald J. Puglisi* **11/1/98**
Name of Person Signing Signature Date

Total number of pages including cover sheet, attachments, and **1**

RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

4A. cont'd

74/567881

UNKNOWN

UNKNOWN

75/191039

75/212330

75/376128

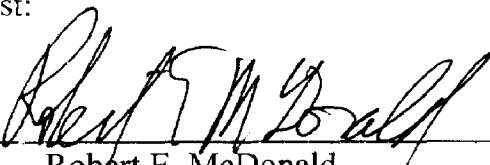
ASSIGNMENT AGREEMENT

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.

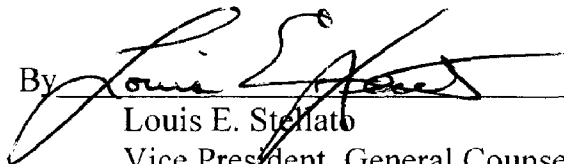
IN WITNESS WHEREOF, The Sherwin-Williams Company, through its authorized officers, has executed this instrument, effective as of this 1st day of November, 1998, and affixed its corporate seal hereunto.

[SEAL]

Attest:

By 
Robert E. McDonald
Associate General Counsel

THE SHERWIN-WILLIAMS COMPANY

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

STATE OF OHIO)
) SS.
COUNTY OF CUYAHOGA)

On the 2nd day of November, 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>
ACME	75/454486	23MAR98
CFR (+DESIGN)	75/261495	21MAR97
CONTRACT EXPRESS (+DESIGN)	75/412544	30DEC97
DURA SEAL	75/447403	10MAR98
HOME DECOR	75/473854	24APR98
HOME DECOR	75/473858	24APR98
HYDRALON	75/497808	08JUN98
HYDRO SWADE	74/532608	02JUN94
KEM BAKE	75/138374	23JUL96
PRODRY	74/567881	30AUG94
ROOM BY ROOM	UNKNOWN	UNKNOWN
ROOM BY ROOM (+DESIGN)	UNKNOWN	UNKNOWN
SYMMETRO FLOW	75/191039	01NOV96
TRANSDUCER	75/212330	12DEC96
ULTRA-BOND	75/376128	20OCT97

U.S. TRADEMARK REGISTRATIONS

<u>Trademark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>
BALCOAT 2000	1,122,617	24JUL79
DECKGUARD	1,117,032	01MAY79
LUSTRE STAIN	2,056,434	22APR97
SEAGUARD (+DESIGN)	1,185,339	12JAN82
SILCOGUARD	1,117,031	01MAY79
TANKGUARD	1,135,970	14AUG79
ZINCGUARD	1,116,795	24APR79

CANADIAN PENDING TRADEMARKS

<u>Trademark</u>	<u>Ser. No.</u>	<u>Filing Date</u>
KID'S ROOM	848,866	23JUN97

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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

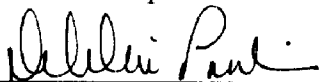
BOX ASSIGNMENT
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

CERTIFICATE OF MAILING

"Express Mail" mailing label number EM481108730US
Date of Deposit December 7, 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)


(Signature of person mailing paper of fee)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX ASSIGNMENT

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

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

Dear Sir:

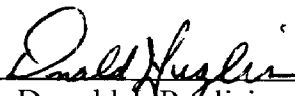
Enclosed please find a copy of an assignment document designated "ASSIGNMENT AGREEMENT", dated November 1, 1998, in which the following U.S. trademark registration and pending trademark applications were assigned from The Sherwin-Williams Company to SWIMC, Inc.:

<u>MARK</u>	<u>REG. NO. (SER. NO.)</u>
ACME	(75/454486)
BALCOAT 2000	1,122,617
CFR (+DESIGN)	(75/261495)
CONTRACT EXPRESS (+DESIGN)	(75/412544)
DECKGUARD	1,117,032
DURA SEAL	(75/447403)
HOME DECOR	(75/473854)
HOME DECOR	(75/473858)
HYDRALON	(75/497808)
HYDRO SWADE	(74/532608)
KEM BAKE	(75/138374)
LUSTRE STAIN	2,056,434
PRODRY	(74/567881)
ROOM BY ROOM	UNKNOWN
ROOM BY ROOM (+DESIGN)	UNKNOWN
SEAGUARD (+DESIGN)	1,185,339
SILCOGUARD	1,117,031
SYMMETRO FLOW	(75/191039)
TANKGUARD	1,135,970
TRANSDUCER	(75/212330)
ULTRA-BOND	(75/376128)
ZINCGUARD	1,116,795

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 registration 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