



03-22-1999

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

03-01-1999

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U.S. Patent & TMO/c/TM Mail Rpt/Dt. #58

100989434

Patent documents or copy thereof.

1. Name of conveying party(ies):
Fort Wayne Pools, Inc.
(an Indiana corporation)

*mkd
3-1-99*

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

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

2. Name and address of receiving party(ies):
Name: Master Spas, Inc.

Internal Address: _____

Street Address: 6927 Lincoln Parkway

City Fort Wayne State IN ZIP _____

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

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No
 (Designation must be a separate document from Assignment)
 Additional name(s) & address(es) attached? Yes No

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other _____

Execution Date: April 14, 1998

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

A. Trademark Application No.(s)

B. Trademark registration No.(s) 1,755,141

Additional numbers attached? Yes No

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

Name: Peter D. Murray, Esq.

Internal Address: Cooper & Dunham LLP

Street Address: 1185 Avenue of the Americas

City: New York State: NY ZIP 10036

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: 03-3125
 (Attach duplicate copy of this page if paying by deposit account)

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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.

Peter D. Murray *Peter D. Murray* 2/24/99

Name of Person Signing Signature Date

Total number of pages comprising cover sheet: 1

OMB No. 0651-0011 (exp. 4/94)

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TRADEMARK

REEL: 1870 FRAME: 0850

TRADEMARK ASSIGNMENT

This Trademark Assignment Agreement is entered into between Fort Wayne Pools, Inc., formerly known as Fort Wayne Plastics, Inc. ("Assignor"), an Indiana corporation with its principal place of business located at 6930 Gettysburg Pike, Fort Wayne, Indiana, and Master Spas, Inc. ("Assignee"), an Indiana corporation, with its principal place of business located at 6927 Lincoln Parkway, Fort Wayne, Indiana.

RECITALS

A. Assignor is the owner of the entire right, title and interest in and to the trademark "Legacy Whirlpool" which is the subject of U.S. Trademark Registration No. 1755141 ("Trademark") issued on March 2, 1993.

B. The Assignor desires to assign to Assignee, and Assignee is desirous of acquiring the entire, title and interest in and to the Trademark.

NOW, THEREFORE, in receipt of good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. **ASSIGNMENT.** The Assignor does hereby assign, sell and transfer to Assignee, all of its right, title and interest in and to the Trademark and registration together with the goodwill of the business symbolized by the Trademark.

2. **REQUEST OF TRANSFER.** Assignor authorizes and requests the Commissioner of Patents and Trademarks to record Assignee as the owner of the Legacy Whirlpool Trademark, including any renewals thereof and to issue any pertaining registration to Assignee, as Assignee of the entire right, title and interest in and to the same, for the sole use and enjoyment of Assignee, its successors, assigns, or other legal representatives.

3. **CONTINUED ASSISTANCE.** Assignor shall provide Assignee, its successors and assigns or other legal representatives, reasonable cooperation and assistance at Assignee's request and at Assignee's reasonable expense (including the execution and delivery of any and all affidavits, declarations, oaths, assignments, powers of attorney, or other documentation as may be reasonably required) in the preparation and prosecution of any applications covering the Legacy Whirlpool Trademark assigned herein.

Executed this 14th day of April, 1998.

MASTER SPAS, INC.

FORT WAYNE POOLS, INC.

By: Robert Lauter
Robert Lauter, President

By: Thomas Epple
Thomas Epple, Vice President

STATE OF INDIANA)
)SS:
COUNTY OF ALLEN)

30 Before me, the undersigned, a Notary Public, in and for said County and State, on this day of March, 1998, personally appeared Thomas Epple, the Vice President of Fort Wayne Pools, Inc., and acknowledged the execution of the foregoing for and on behalf of said corporation.

My Commission Expires:

~~MICHAEL L. LEHMAN, Notary Public~~
Resident of Allen County

My Commission Expires September 18, 2001

Michelle L. Lehman
Resident of Allen County, Indiana
Notary Public

STATE OF INDIANA)
)SS:
COUNTY OF ALLEN)

14th Before me, the undersigned, a Notary Public, in and for said County and State, on this day of April, 1998, personally appeared Robert Lauter, the President of Master Spas, Inc., and acknowledged the execution of the foregoing for and on behalf of said corporation.

My Commission Expires:

11-04-01

Jeanine M. Garker
Resident of Allen County, Indiana
Notary Public
Jeanine M. Garker

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