

02-28-2001



101623114

### RECORDATION FORM COVER SHEET TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

<b>Submission Type</b> 220-01		<b>Conveyance Type</b>	
<input checked="" type="checkbox"/> New	<input type="checkbox"/> Resubmission (Non-Recordation) Document ID # _____	<input checked="" type="checkbox"/> Assignment	<input type="checkbox"/> License
<input type="checkbox"/> Correction of PTO Error Reel # _____ Frame # _____	<input type="checkbox"/> Corrective Document Reel # _____ Frame # _____	<input type="checkbox"/> Security Agreement	<input type="checkbox"/> Nunc Pro Tunc Assignment Effective Date Month Day Year 02/05/01
		<input type="checkbox"/> Merger	
		<input type="checkbox"/> Change of Name	
		<input type="checkbox"/> Other _____	

**Conveying Party**  Mark if additional names of conveying parties attached

Name United Industries Corporation Execution Date  
Month Day Year \_\_\_\_\_

Formerly \_\_\_\_\_

Individual  General Partnership  Limited Partnership  Corporation  Association

Other \_\_\_\_\_

Citizenship/State of Incorporation/Organization Delaware

**Receiving Party**  Mark if additional names of receiving parties attached

Name Rex Realty Co.

DBA/AKATA \_\_\_\_\_

Composed of \_\_\_\_\_

Address (line 1) 7701 Forsyth Boulevard

Address (line 2) Suite 1125

Address (line 3) St. Louis Missouri 63105  
City State/Country Zip Code

Individual  General Partnership  Limited Partnership  Association

Corporation  Association

Other \_\_\_\_\_

Citizenship/State of Incorporation/Organization Delaware

*If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)*

FOR OFFICE USE ONLY

02/27/2001 DBYRNE 00000216 992329

40.00 DP  
50.00 OP

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Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

TRADEMARK  
REEL: 002241 FRAME: 0480

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Correspondent Name and Address**

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Pages**

Enter the total number of pages of the attached conveyance document including any attachments. #

**Trademark Application Number(s) or Registration Number(s)**

Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)			Registration Number(s)		
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="992,329"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="1,280,499"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="1,542,234"/>	<input type="text"/>	<input type="text"/>

**Number of Properties**

Enter the total number of properties involved. #

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41): \$

Method of Payment: Enclosed  Deposit Account

Deposit Account (Enter for payment by deposit account or if additional fees can be charged to the account.) #

Authorization to charge additional fees: Yes  No

**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. Charges to deposit account are authorized, as indicated herein.

Harvey L. Yusman  
Name of Person Signing

[Signature]  
Signature

2/16/01  
Date Signed

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ASSIGNOR: UNITED INDUSTRIES CORPORATION

ASSIGNEE: REX REALTY CO.

TRADEMARK ASSIGNMENT

**THIS ASSIGNMENT**, is made and entered into as of the 5th day of February, 2001, by and between UNITED INDUSTRIES CORPORATION, a Delaware corporation with an office located at 8825 Page Avenue, St. Louis, Missouri 63114 ("Assignor"), and REX REALTY CO., a Delaware corporation with its principal office located at 7701 Forsyth Boulevard, Suite 1125, St. Louis, Missouri 63105 ("Assignee").

**WITNESSETH:**

**WHEREAS**, Assignor is the owner of the entire right, title and interest in and to the trademarks (collectively, the "Trademarks") and the respective United States registrations issued thereon (collectively, the "Registrations") as set forth on Schedule A attached hereto and by reference incorporated herein;

**WHEREAS**, Assignor desires to sell, transfer and assign to Assignee all of Assignor's right, title and interest in and to the Trademarks and the Registrations together with the goodwill of the business in connection with which the Trademarks are used and which is symbolized by the Trademarks, along with the right to sue and recover damages and profits for past infringements thereof;

**WHEREAS**, Assignee desires to acquire from Assignor all of Assignor's right, title and interest in and to the Trademarks and the Registrations together with the goodwill of the business in connection with which the Trademarks are used and which is symbolized by the Trademarks, along with the right to sue and recover damages and profits for past infringements thereof.

**NOW, THEREFORE**, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, Assignor hereby sells, transfers and assigns to Assignee, its successors and assigns, Assignor's entire right, title and interest in and to the Trademarks and the Registrations therefor for the United States and throughout the world, together with all of the goodwill of the business in connection with which the Trademarks are used and which is symbolized by said Trademarks, along with the right to sue and recover damages and profits for past infringements thereof.

The Commissioner of Patents and Trademarks is hereby respectfully requested to record this Assignment in the United States Patent and Trademark Office against the files of the Trademarks and the Registrations herein described.

**IN WITNESS WHEREOF**, Assignor has caused this Assignment to be duly executed as of the day and year first above written.

ASSIGNOR:

UNITED INDUSTRIES CORPORATION

By: 

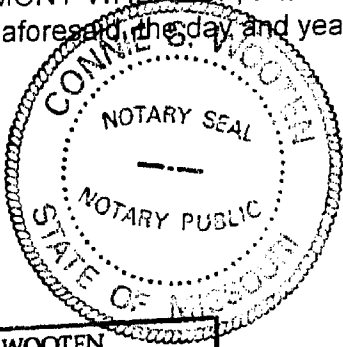
Name: Matthew M. McCarthy

Title: V.P. & General Counsel

STATE OF MISSOURI )  
 ) ss.  
COUNTY OF ST. LOUIS )

On this 5th day of February, 2001, before me appeared Matthew McCarthy to me personally known, who, being by me duly sworn, did say that he is the V.P. General Counsel of UNITED INDUSTRIES CORPORATION, a corporation of the State of Delaware, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation; and said Matthew McCarthy acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.



Connie Wooten

Notary Public

My term expires:

CONNIE WOOTEN  
Notary Public - Notary Seal  
STATE OF MISSOURI  
ST. CHARLES COUNTY  
MY COMMISSION EXP. NOV. 17, 2001

**SCHEDULE A  
TO  
TRADEMARK ASSIGNMENT  
BY AND BETWEEN  
UNITED INDUSTRIES CORPORATION  
AND  
REX REALTY CO.**

	<u>Trademark</u>	<u>U.S. Registration No.</u>	<u>Registration Date</u>
1.	Ankr-Tite	992,329	September 3, 1974
2.	Wej-It	1,280,499	June 5, 1984
3.	Bolt Size Is Hole Size	1,542,234	June 6, 1989