

06-12-2002

TRADEMARK



102116120

RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

OFFICE OF RECORDATION  
MAY 23 AM 10:01  
FINANCE SECTION

*Corrective*  
*MRD 5/23/02*

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

Submission Type

- New
- Resubmission (Non-Recordation)  
Document ID #
- Correction of PTO Error  
Reel #  Frame #
- Corrective Document  
Reel #  Frame #

Conveyance Type

- Assignment  License
- Security Agreement  Nunc Pro Tunc Assignment
- Merger
- Change of Name
- Other *Record to correct 3 serial numbers listed incorrectly in a schedule recorded at Reel 1631 Frame 0449.*

Conveying Party

Mark if additional

Name  *1631 Frame 0449.* Execution Date

Formerly

- Individual  General Partnership  Limited Partnership  Corporation  Association
- Other
- Citizenship/State of Incorporation/Organization

Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)     
City State/Country Zip Code

- Individual  General Partnership  Limited Partnership  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.)
- Corporation  Association
- Other
- Citizenship/State of Incorporation/Organization

05/29/2002 6TON11 00000131 192025 74732412

FOR OFFICE USE ONLY

01 FC:481 40.00 CH  
02 FC:482 50.00 CH

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:

TRADEMARK  
REEL: 002486 FRAME: 0914

**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" value="74/732412"/>	<input type="text" value="75/048074"/>	<input type="text" value="75/048073"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<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

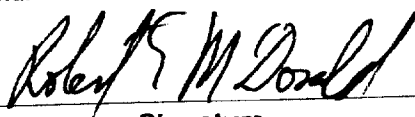
Deposit Account (Enter for payment by deposit account or if additional fees can be charged to the account.) #

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.

Robert E. McDonald



5/23/02

Name of Person Signing

Signature

Date Signed

09-22-1997

Docket No.: 3711

FORM PTO-1594 (Rev. 6-93) 8-20-97  
OMB No. 0631-0011 (exp. 4/94)  
Copyright 1994-97 LegalStar  
TMCS/REV02



100538397

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

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

3. Nature of conveyance:

Assignment                       Merger  
 Security Agreement               Change of Name  
 Other \_\_\_\_\_

Execution Date: May 1, 1997

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

A. Trademark Application No.(s)

74/635361	74/616050	75/029518
74/715902	75/203553	75/029515
74/471985	75/029516	75/210056

Additional numbers  Yes  No

B. Trademark Registration No.(s)

1,077,705	834,954	1,062,542
1,420,731	807,154	787,378
1,655,182	678,334	283,318

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: 79

7. Total fee (37 CFR 3.41):.....\$ \$1,940.00

Enclosed  
 Authorized to be charged to deposit account

8. Deposit account number:  
19-5137

DO NOT USE THIS SPACE

08/28/1997 NSHABAZZ 00000111 DAN:195137 1077705  
 01 FC:481 40.00 CH  
 02 FC:482 25.00 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                      4/27/97  
 Name of Person Signing                      Signature                      Date

TRADEMARK  
REEL: 002486 FRAME: 0916

75/160539  
75/105488  
74/732410  
~~74/432412~~  
75/105486  
75/089824  
74/692300  
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~~74/048073~~  
75/013050

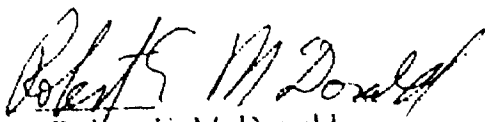
1.942.980	1.933.238	1.381.965	1.936.379
1.172.759	826.349	1.760.850	1.924.972
1.791.184	66.560	1,094.901	903.722
1.185.332	577.327	1.084.436	1.124.802
1.185.357	582.439	207.016	1.938.855
1.186.804	1.877.325	397.185	1.401.759
1.185.333	1,706.133	745,316	1.895.787
1.185.358	1.707.656	1.972.173	1,138.340
1.185.828	1,888.419	1.062.562	1,149.522
1.799.608	1.754.738	1.092.071	861.877
1.010.252	1.516.111	397.184	1.909.990
970.017	1.239.060	1.516.113	1.900.204
	1,779.421	1.402.698	1,914.418

ASSIGNMENT AGREEMENT

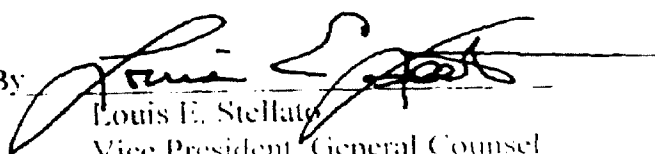
KNOW ALL MEN BY THESE PRESENTS, that The Sherwin-Williams Company, an Ohio corporation with its principal place of business at 101 Prospect Avenue NW, Cleveland, Ohio 44115-1075, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, does hereby assign, transfer 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, 1997, 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 )  
 ) S.S.  
COUNTY OF CUYAHOGA )

On the 17<sup>th</sup> day of July, 1997, 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

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TRADEMARK  
REEL: 1631 FRAME: 0452

TRADEMARK  
REEL: 002486 FRAME: 0919

Schedule A

U.S. PENDING TRADEMARKS

<u>Trademark</u>	<u>Ser. No.</u>	<u>Filing Date</u>
AMERICA'S NEIGHBORHOOD PLACE FOR PAINT AND DECORATING	74/635361	17FEB95
AQUASHIELD	74/715902	15AUG95
DURATEX	74/616050	28DEC94
FENCELIFE	75/203553	25NOV96
FORMBY'S	75/029516	07DEC95
FORMBY'S	75/029518	07DEC95
FORMBY'S	75/029515	07DEC95
HERITAGE COLORS	75/210056	08DEC96
MINWAX	75/160539	31AUG96
MINWAX	75/105488	16MAY96
MINWAX	74/732410	21SEP95
MINWAX	74/732412	21SEP95
POLYCRYLIC	75/105486	16MAY96
SHERWORKS	75/089824	03APR96
THOMPSON'S	74/692300	05JUL95
TIMBER-BOND	74/048074	24JAN96
TIMBER-CHINK	74/048073	24JAN96
WOODSCAPES	75/013050	31OCT95

U.S. TRADEMARK REGISTRATIONS

<u>Trademark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>
AGRI-500	1,077,705	22NOV77
ALMOND LUSTRE	1,420,738	16DEC86
AMERICOLOR	1,655,182	03SEP91
AQUA-SHIELD	834,954	12SEP67
ARREST	807,154	19APR66
BLEND-FIL	678,334	12MAY59
COPOLYCARVITOL	1,062,542	05APR77
DECORATIVE TOUCHES	1,933,944	07NOV95
DURA FINISH	787,378	30MAR65
DURA SEAL	283,318	26MAY31
DURA SEAL	1,942,980	19DEC95
DURA TOP	1,172,759	13OCT81
FINISH OF A LIFETIME, THE	1,791,184	07SEP93
FORMBY'S (& PORTRAIT)	1,185,332	12JAN82
FORMBY'S (& PORTRAIT)	1,185,357	12JAN82
FORMBY'S (& PORTRAIT)	1,186,804	19JAN82
FORMBY'S (STYLIZED)	1,185,333	12JAN82
FORMBY'S (STYLIZED)	1,185,358	12JAN82

<u>Trademark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>
FORMBY'S (STYLIZED)	1,185,828	12JAN82
FORMBY'S DEMO PROGRAM	1,799,608	19OCT93
GYM-THANE	1,010,252	13MAY75
HELMSMAN	970,017	09OCT73
HOMEOWNERS CHOICE	1,933,238	07NOV95
KURUST	826,349	28MAR67
MINWAX	66,560	10DEC07
MINWAX	577,327	14JUL53
MINWAX	582,439	17NOV53
MINWAX	1,877,325	07FEB95
MINWAX KEEPS WOOD BEAUTIFUL	1,706,133	11AUG92
MINWAX MAKES WOOD BEAUTIFUL	1,707,656	18AUG92
MINWAX NATIONAL WOODWORKING MONTH	1,888,419	11APR95
MINWAX PASTELS	1,754,738	02MAR93
PEELING SOLUTION, THE	1,516,111	13DEC88
POLY-TUNG	1,239,060	24MAY83
POLYCRYLIC	1,779,421	29JUN93
POLYSHADES	1,381,965	11FEB86
PROTECTO-SEAL	1,760,850	30MAR93
RED DEVIL	1,094,901	04JUL78
RED DEVIL	1,804,436	07FEB78
RED DEVIL (&DESIGN)	207,016	15DEC25
RED DEVIL (&DESIGN)	397,185	25AUG42
RED DEVIL (&DESIGN)	745,316	19FEB63
RED DEVIL (&DESIGN)	1,972,173	07MAY96
RED DEVIL (HOLDING PITCHFORK)	1,062,562	05APR77
RED DEVIL (HOLDING PITCHFORK)	1,092,071	30MAY78
RED DEVIL (STYLIZED)	397,184	25AUG42
RUST SOLUTION, THE	1,516,113	13DEC88
SEAL DEVICE	1,402,698	29JUL86
SEAL DEVICE IN CIRCLE	1,936,379	21NOV95
SETFAST	1,924,972	10OCT95
SPORTSEAL	903,722	08DEC70
THOMPSON'S	1,124,802	11SEP79
THOMPSON'S	1,938,855	28NOV95
THOMPSON'S WATER SEAL (&DEVICE)	1,401,759	22JUL86
THOMPSON'S WOOD PROTECTOR	1,895,787	30MAY95
TWO ARROW DEVICE	1,138,340	05AUG80
WATER SEAL	1,149,522	31MAR81
WEAR WELL	861,877	17DEC68
WOOD BEAUTIFUL	1,909,990	08AUG95
WOOD FINISH & DESIGN	1,900,204	13JUN95
WOODSHEEN	1,914,418	29AUG95