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Form PTO-1594 (Rev. 10/02) OMB No. 0651-0027 (exp. 6/30/2005) Tab settings



U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

102754979

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

<p>1. Name of conveying party(ies):</p> <p>Rayovac Corporation</p> <p><input type="checkbox"/> Individual(s)      <input type="checkbox"/> Association  <input type="checkbox"/> General Partnership      <input type="checkbox"/> Limited Partnership  <input type="checkbox"/> Corporation-State  <input checked="" type="checkbox"/> Other Wisconsin</p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies)</p> <p>Name: <u>Rovcal, Inc.</u>  Internal  Address: _____  Street Address: <u>3403 East Central Avenue</u>  City: <u>Fresno</u> State: <u>CA</u> Zip: <u>93725</u></p> <p><input type="checkbox"/> Individual(s) citizenship _____  <input type="checkbox"/> Association _____  <input type="checkbox"/> General Partnership _____  <input type="checkbox"/> Limited Partnership _____  <input checked="" type="checkbox"/> Corporation-State <u>California</u>  <input type="checkbox"/> Other _____</p> <p>If assignee is not domiciled in the United States, a domestic representative designation is attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  (Designations must be a separate document from assignment)  Additional name(s) &amp; address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>3. Nature of conveyance:</p> <p><input checked="" type="checkbox"/> Assignment      <input type="checkbox"/> Merger  <input type="checkbox"/> Security Agreement      <input type="checkbox"/> Change of Name  <input type="checkbox"/> Other _____</p> <p>Execution Date: <u>11/12/2003</u></p>	<p>4. Application number(s) or registration number(s):</p> <p>A. Trademark Application No.(s) <u>76/395,550</u>  <u>and 76/395,551</u></p> <p>B. Trademark Registration No.(s) <u>see attached list</u></p> <p>Additional number(s) attached <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: <u>Stephen C. Werner, Jr.</u>  Internal Address: <u>Quarles &amp; Brady LLP</u>  <u>Suite 600</u>  Street Address: <u>One South Pinckney Street</u>  City: <u>Madison</u> State: <u>WI</u> Zip: <u>53703</u></p>	<p>6. Total number of applications and registrations involved: <span style="border: 1px solid black; padding: 2px;">16</span></p> <p>7. Total fee (37 CFR 3.41).....\$ <u>640.00</u></p> <p><input type="checkbox"/> Enclosed  <input checked="" type="checkbox"/> Authorized to be charged to deposit account</p> <p>8. Deposit account number:  <u>17-0055</u></p>
<b>DO NOT USE THIS SPACE</b>	
<p>9. Signature.</p> <p><u>Stephen C. Werner, Jr.</u>            <u>May 24, 2004</u>  Name of Person Signing      Signature      Date</p> <p>Total number of pages including cover sheet, attachments, and document: <span style="border: 1px solid black; padding: 2px;">8</span></p>	

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2004 MAY 27 PM 4:04  
FINANCE SECTION

05/28/2004 LHMULLER 00000065 170055 76395550  
01 FC:8521 40.00 DA  
02 FC:8522 375.00 DA

Documents to be recorded with required cover sheet information to: Commissioner of Patent & Trademarks, Box Assignments Washington, D.C. 20231 Doc. I.D. 376659

**RECORDATION FORM COVER SHEET**

**LIST OF TRADEMARK REGISTRATION NOS.**

**ASSIGNMENT FROM RAYOVAC CORPORATION TO ROVCAL, INC.**

**NOVEMBER 12, 2003**

<b>U.S. Reg. No.</b>	<b>Mark</b>
2,707,727	PRODIGY
2,616,275	X CELL (Stylized)
2,602,462	FLASHYLIGHTS
2,582,586	BACKPACKERS
2,312,486	RAYOVAC ULTRA
2,309,925	DINOLITES
2,281,401	QUARTZ
2,201,679	EZ-FIND
2,079,917	ZOO
2,070,526	JAMMIN' PACK
2,051,406	PLAY IT SMART
2,020,767	AIRPOWER
1,752,280	ULTRACELL
1,218,297	MICRO BRITE

## ASSIGNMENT OF TRADEMARKS

WHEREAS, Rayovac Corporation, a Wisconsin corporation, having its address at 601 Rayovac Drive, Madison, Wisconsin 53711-2497 ("Assignor"), is or claims to be the owner of all right, title and interest in and to certain trademarks, including, without limitation, those trademarks, and related registrations and applications for registration, set forth in Exhibit A attached hereto and incorporated herein, in connection with Assignor's business, and other goods and services related thereto (collectively the "Marks"); and

WHEREAS, Rovcal, Inc., a California corporation, having its address at 3403 East Central Avenue, Fresno, California 93725-2542 ("Assignee"), desires to acquire all right, title and interest in and to the Marks;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby assigns, transfers and conveys to Assignee all right, title and interest in and to the Marks (including any stylization or in combination with any logo or design element), including any common law rights thereto, together with any goodwill of the business symbolized thereby and any registrations therefor or applications in connection therewith, and in and to any and all causes of action, either in law or in equity, and the right to enforce any rights and to file any causes of action, including the right to recover damages, for any past, present or future infringement or misappropriation of the Marks, effective as of the date provided below.

IN WITNESS WHEREOF, Assignor has caused this Assignment of Trademarks to be executed this 12<sup>th</sup> day of November, 2003.

RAYOVAC CORPORATION

By:

Name:

Title:

Kent Hussey  
KENT J. HUSSEY  
PRESIDENT & C.O.O.

**EXHIBIT A**

**List of Marks**

Mark	U.S. Reg. No.
PRODIGY	2,707,727
X CELL (Stylized)	2,616,275
FLASHYLIGHTS	2,602,462
BACKPACKERS	2,582,586
RAYOVAC ULTRA	2,312,486
DINOLITES	2,309,925
QUARTZ	2,281,401
EZ-FIND	2,201,679
ZOO	2,079,917
JAMMIN' PACK	2,070,526
PLAY IT SMART	2,051,406
AIRPOWER	2,020,767
ULTRACELL	1,752,280
MICRO BRITE	1,218,297

ACKNOWLEDGMENT

STATE OF WISCONSIN    )  
  )  
COUNTY OF DANE        )        ss.

On this 12<sup>th</sup> day of November, 2003, before me appeared KENT J. HOSSEY, the person who signed this instrument, who acknowledged that he/she signed it as a free act on behalf of Rayovac Corporation.

Subscribed and sworn to before me  
this 12<sup>th</sup> day of November, 2003

*Dorellin M Ryan*  
Notary Public State of Wisconsin

My Commission Expires: July 15, 2007

**ASSIGNMENT OF TRADEMARKS AND  
RELATED INTENT TO USE APPLICATIONS**

WHEREAS, Rayovac Corporation, a Wisconsin corporation, having its address at 601 Rayovac Drive, Madison, Wisconsin 53711-2497 ("Assignor"), has intended to use, and may now be using, the trademarks set forth in Exhibit A attached hereto and incorporated herein, and has filed related applications for registration thereof, indicating the initial intention to use the same, in connection with Assignor's business, and other goods and services related thereto (collectively the "Marks");

WHEREAS, Assignor is assigning the Marks as part of the entire business, or portion thereof, to which the Marks pertain as required by Section 10 of the Trademark Act of 1946, as amended; and

WHEREAS, Rovcal, Inc., a California corporation, having its address at 3403 East Central Avenue, Fresno, California 93725-2542 ("Assignee"), desires to acquire all right, title and interest in and to the Marks;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby assigns, transfers and conveys to Assignee all right, title and interest in and to the Marks (including any stylization or in combination with any logo or design element) and related pending trademark applications, including any common law rights thereto, together with any goodwill of the business symbolized thereby and any registrations therefor, and in and to any and all causes of action, either in law or in equity, and the right to enforce any rights and to file any causes of action, including the right to recover damages, for any past, present or future infringement or misappropriation of the Marks, effective as of the date provided below.

IN WITNESS WHEREOF, Assignor has caused this Assignment of Trademarks to be executed this 12<sup>th</sup> day of November, 2003.

RAYOVAC CORPORATION

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

# EXHIBIT A

## List of Marks

Mark	U.S. Serial No.
RAYOVAC & Design	76/395,551
I-C3 (Stylized)	76/395,550

ACKNOWLEDGMENT

STATE OF WISCONSIN    )  
                                  )       ss.  
COUNTY OF DANE        )

On this 12<sup>th</sup> day of November, 2003, before me appeared KENT J. HUSSEY, the person who signed this instrument, who acknowledged that he/she signed it as a free act on behalf of Rayovac Corporation.

Subscribed and sworn to before me  
this 12<sup>th</sup> day of November, 2003  
*Sorellyn M Ryan*  
Notary Public State of Wisconsin  
My Commission Expires: July 15, 2007