




**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 having its principal office and 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 February, 2006, and affixed its corporate seal hereunto.

[SEAL]  
Attest:

THE SHERWIN-WILLIAMS COMPANY

By   
Robert E. McDonald  
Associate General Counsel

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

STATE OF OHIO                    )  
                                           ) SS.  
 COUNTY OF CUYAHOGA         )

On the 3rd day of May, 2006, 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.

*Deborah G. Pankiw*  
 \_\_\_\_\_  
 NOTARY PUBLIC

**DEBORAH G. PANKIW**  
 Notary Public, State of Ohio, Cuy. Cty.  
 My Commission Expires June 14, 2010

**Schedule A**

**U.S. PENDING TRADEMARKS**

<b><u>Trademark</u></b>	<b><u>Ser. No.</u></b>	<b><u>Filing Date</u></b>
DECKSCAPES	78/260276	10-JUN-2003
SHER-CRETE	78/245668	05-MAY-2003



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05-22-2006


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(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

**IN THE UNITED STATES TRADEMARK OFFICE**

The Sherwin-Williams Company	)		
Conveying Party,	)		
	)		
and	)	<b>Document ID No.:</b>	700265968
	)		
SWIMC, Inc.	)		
Receiving Party.	)		

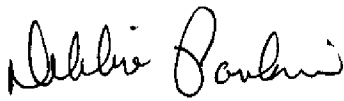
Mail Stop Assignment Recordation Services  
 Director of the U.S. Patent and Trademark Office  
 PO Box 1450  
 Alexandria, VA 22313-1450  
 ATTN: Mary Benton, Examiner

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that the following papers are being facsimile  
 Transmitted to the Assistant Commissioner for Trademarks,  
 Trademark Assignment Branch (fax no. (571) 273-0140) on  
August 2, 2006 :

1. Resubmission of July 27, 2006 Upside Down Fax Submission

Debbie Pankiw  
 (Typed or printed name of person mailing paper or fee)

  
 (Signature of person mailing paper or fee)

**IN THE UNITED STATES TRADEMARK OFFICE**

The Sherwin-Williams Company	)		
Conveying Party,	)		
	)		
and	)	<b>Document ID No.:</b>	700265968
	)		
SWIMC, Inc.	)		
Receiving Party.	)		

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July 27, 2006:

1. Document ID No. 700265968; and
2. Credit Card Payment Form

Debbie Pankiw  
 (Typed or printed name of person mailing paper or fee)

  
 (Signature of person mailing paper or fee)



**IN THE UNITED STATES TRADEMARK OFFICE**

The Sherwin-Williams Company	)		
Conveying Party,	)		
	)		
and	)	<b>Document ID No.:</b>	700265968
	)		
SWIMC, Inc.	)		
Receiving Party.	)		

Mail Stop Assignment Recordation Services  
 Director of the U.S. Patent and Trademark Office  
 PO Box 1450  
 Alexandria, VA 22313-1450  
 ATTN: Mary Benton, Examiner

**LETTER**

Dear Ms. Benton:

We hereby respond to your May 26, 2006 communication wherein the Request for Recordation of the above-identified Trademark Assignment was found to be non-recordable by the Assignment Division of the U.S. Patent and Trademark Office for failure to submit an executed Credit Card Payment Form. Therefore, as requested, we are returning your May 26, 2006 communication, along with all document attachments, and a Credit Card Payment Form, which has been duly executed by the authorized credit card holder.

We believe that all requirements have now been met, and respectfully recordation of the attached Assignment Agreement dated February 1, 2006 by and between The Sherwin-Williams Company and SWIMC, Inc.

Respectfully submitted,  
 SWIMC, INC.

By



Robert E. McDonald, Reg. No. 29,193  
 Attorney for Assignee

July 27, 2006  
 c/o The Sherwin-Williams Company  
 101 Prospect Avenue NW  
 1100 Midland Bldg. – Legal Dept.  
 Cleveland, Ohio 44115-1075  
 ph: 2165662432; fx: 2165154400; email: legal\_ip@sherwin.com

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Fax Server

**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

July 28, 2006

Submitter

United States Patent and Trademark Office  
Notice of Document Faxed Upside Down

Your request to record a document in the United States Patent and Trademark Office was received via electronic fax on July 27, 2006, at 11:38 AM.

The faxed submission was received upside down. We are unable to continue processing these images.

Please resubmit your document.

If you have any questions, you may contact our customer service center at 571-272-3350.

Office of Public Records  
Assignment Division