

09-11-2000

MRD 8/9/00



IN THE UNITED STATES

101453230

DEMARK OFFICE

IN RE REGISTRATION OF : Gibson-Homans Company  
 MARKS : Miscellaneous  
 REGISTRATION NOS. : Miscellaneous  
 REGISTRATION DATES : Miscellaneous  
 ATTORNEY DOCKET NO. : GON 00003

Cleveland, Ohio 44114-2518  
 August 7, 2000

RECORDATION FORM COVER SHEET

Hon. Commissioner for Patents  
 and Trademarks  
 Box Assignments  
 Washington, DC 20231

Dear Sir:

Please record the attached original document(s) or copy thereof.

1. Name of conveying Party(ies):

Gibson-Homans Company

2. Name and Address of receiving Party(ies):

Name: Gardner Industries

Street Address: 4161 East 7th Avenue

City: Tampa

State/Country: Florida ZIP: 33605

3. Nature of Conveyance:

Assignment  Change of Name

Security Agreement  Merger

Other \_\_\_\_\_

Execution Date: July 27, 2000

09/08/2000 NTHA11 00000103 75062574

01 FC:481 40.00 OP  
 02 FC:482 1200.00 OP

Refund Ref: 09/08/2000 NTHA11 0000097586  
 CHECK Refund Total: \$720.00

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

If this document is being filed together with a new application, the execution date of the application is:

Date

A. Trademark Appl. No.(s)

	<u>Serial No.</u>	<u>Filing Date</u>	<u>Mark</u>
1.	75/062,574	02/26/1996	SHARP SHOOTER
2.	75/613,991	12/28/1998	SEAL GUARD
3.	75/660,069	03/15/1999	DYNAMITE

B. Trademark No.(s)

	<u>Reg. No.</u>	<u>Reg. Date</u>	<u>Mark</u>
4.	384,742	02/04/1941	PLASTI-GLAZE
5.	397,846	09/22/1942	BANNER
6.	516,412	10/18/1949	PLASTI-GLAZE
7.	702,777	08/16/1960	PLASTOID
8.	726,149	01/09/1962	ETERNAFLEX
9.	742,569	12/25/1962	BUTYLOID
10.	745,256	02/19/1963	EAGLE'S CLAW
11.	758,634	10/22/1963	QUICK STICK
12.	854,853	08/13/1968	KED
13.	949,618	01/02/1973	BLACK JACK
14.	1,210,146	09/28/1982	SHUR-STIK
15.	1,586,775	03/13/1990	GIBSON-HOMANS ROOF TITE & DESIGN
16.	1,652,423	07/30/1991	SUPER-FLASH
17.	1,695,646	06/23/1992	ALL-IN-ONE
18.	1,721,272	10/06/1992	BLACK-JACK
19.	1,735,908	12/01/1992	E-Z SEAL
20.	1,756,297	03/09/1993	SHUR-STIK
21.	1,756,323	03/09/1993	GIBSON-HOMANS ROOF PROOF
22.	1,786,049	08/03/1993	E-Z-S-Q-U-E-E-Z-E
23.	1,797,010	10/05/1993	SHUR-STIK PERMANENT PATCH
24.	1,819,603	02/08/1994	WALL TITE
25.	1,821,339	02/15/1994	DYNAMITE
26.	1,859,384	10/25/1994	ROOF PROOF
27.	1,887,909	04/04/1995	MARKSMAN
28.	1,899,471	06/13/1995	WALLPAPER PAL
29.	1,899,472	06/13/1995	BORDER BUDDY
30.	1,909,299	08/01/1995	SHUR-SHIELD
31.	1,926,463	10/10/1995	SPEEDWAY GRADE
32.	1,971,859	04/30/1996	FLASHPOINT
33.	1,981,598	06/18/1996	SURE SHOT
34.	1,981,599	06/18/1996	FIREPOWER
35.	1,997,620	08/27/1996	PAINTER'S X-TRA
36.	2,004,663	10/01/1996	HOT SHOT

<u>Reg. No.</u> (cont.)	<u>Reg. Date</u> (cont.)	<u>Mark</u> (cont.)
37. 2,014,539	11/05/1996	PRO STOCK
38. 2,016,001	11/12/1996	GIBSON-HOMANS PRO'S CHOICE
39. 2,038,318	02/18/1997	BLACK JACK...NEVER A GAMBLE
40. 2,046,352	03/18/1997	QUICK DRAW
41. 2,062,500	05/20/1997	ACRYLIC ONE
42. 2,076,715	07/08/1997	ELASTOMERIC ONE
43. 2,114,220	11/18/1997	PRIME-1-TIME
44. 2,114,221	11/18/1997	EVER-READY
45. 2,160,803	05/26/1998	FIRST COLORS
46. 2,170,165	06/30/1998	FIRST ACRYLIC
47. 2,221,499	02/02/1999	HIGHWAY 2000
48. 2,232,898	03/16/1999	EXTREME
49. 2,256,063	06/22/1999	SHOCKWAVE

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

Name: Jay F. Moldovanyi  
(type name of attorney)

Firm: FAY, SHARPE, FAGAN, MINNICH & MCKEE, LLP

Address: 1100 Superior Avenue  
Suite 700

City: Cleveland

State: Ohio ZIP: 44114-2518

6. Number of applications and trademarks involved: 49

7. Total fee (37 C.F.R. 3.41): \$ 1960.00

Enclosed

Authorized to be charged to deposit account.

8. Deposit Account Number \_\_\_\_\_

DO NOT USE THIS SPACE

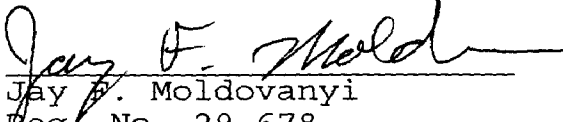
9. Statement and signature.

*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.*

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & MCKEE, LLP

August 7, 2000  
Date

  
Jay P. Moldovanyi  
Reg. No. 29,678  
1100 Superior Avenue  
Suite 700  
Cleveland, OH 44114-2518  
(216) 861-5582

Total number of pages including cover sheet, attachments, and document: 8

TRADEMARK ASSIGNMENT

WHEREAS, Gibson-Homans Company, a corporation of the state of Ohio, located and doing business at 1755 Enterprise Parkway, Twinsburg, Ohio 44087, is the owner of record of the entire right, title and interest in and to the U. S. trademark registrations and U.S. trademark applications identified in Exhibit A hereto, which is made a part hereof, and of the good will of the business connected therewith; and

WHEREAS, Gardner Industries, a corporation of the state of Delaware, located and doing business at 4161 East 7th Avenue, Tampa, Florida 33605, is desirous of acquiring the entire right, title and interest in and to the U.S. trademark registrations and U.S. trademark applications identified in Exhibit A and the good will of the business connected therewith;

NOW, THEREFORE, in consideration of the sum of one dollar (\$1.00) paid by Gardner Industries to Gibson-Homans Company, and for other good and valuable consideration, receipt of which is hereby acknowledged by it, Gibson-Homans Company does hereby sell, assign and transfer unto Gardner Industries, the entire right, title and interest in and to the U.S. trademark registrations and U.S. trademark applications identified in Exhibit A and to any and all registrations granted from said applications and renewals of said registrations, together with the good will of the business connected with the use of and symbolized by said U.S. trademark

registrations and U.S. trademark applications, all said rights to be held and enjoyed by Gardner Industries for its own use and enjoyment and for the use and enjoyment of its successors and assigns to the full end of the term for which said U.S. trademark registrations have been granted.

GIBSON-HOMANS COMPANY

By Donald E. Fischer

Name: Donald E. Fischer

Title: in Vice President - CFO

STATE OF OHIO )  
COUNTY OF SUMMIT ):SS

Personally appeared before me this day, the above named DONALD FISCHER to me personally known, who acknowledged that he/she signed the foregoing instrument for the uses and purposes therein mentioned, and that the same is his/her free act and deed.

In testimony whereof, I have hereunto set my hand and affixed my seal, this 27<sup>TH</sup> day of JULY 2000.

William Petersen

Notary Public

SEAL

**WILLIAM D. PETERSEN**  
Notary Public for the State of Ohio  
My Commission Expires Dec. 17, 2001  
Recorded in Cuyahoga County

EXHIBIT A  
TRADEMARKS

<u>Reg. No.</u>	<u>Reg. Date</u>	<u>Mark</u>
384,742	02/04/1941	PLASTI-GLAZE
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