

Form PTO-1594 (Rev. 07/05)  
OMB Collection 0651-0027 (exp. 6/30/2008)

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

### RECORDATION FORM COVER SHEET TRADEMARKS ONLY

To the Director of the U. S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

**1. Name of conveying party(ies):**

The Sherwin-Williams Company

- Individual(s)
- General Partnership
- Corporation- State: Ohio
- Other \_\_\_\_\_
- Association
- Limited Partnership

Citizenship (see guidelines) \_\_\_\_\_

Additional names of conveying parties attached?  Yes  No

**3. Nature of conveyance /Execution Date(s) :**

Execution Date(s) 08/01/2007

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

**2. Name and address of receiving party(ies)**

Additional names, addresses, or citizenship attached?  Yes  No

Name: SWIMC, Inc.

Internal

Address: Suite 522

Street Address: 300 Delaware Avenue

City: Wilmington

State: DE

Country: USA Zip: 198011607

- Association Citizenship \_\_\_\_\_
- General Partnership Citizenship \_\_\_\_\_
- Limited Partnership Citizenship \_\_\_\_\_
- Corporation Citizenship Delaware
- Other \_\_\_\_\_ Citizenship \_\_\_\_\_

If assignee is not domiciled in the United States, a domestic representative designation is attached:  Yes  No  
(Designations must be a separate document from assignment)

**4. Application number(s) or registration number(s) and identification or description of the Trademark.**

A. Trademark Application No.(s)

77208405 77208211 77208224 77209297 78509639  
78734607 78737691 78509636 78858970 77215797  
77208219 77218809 77220356

B. Trademark Registration No.(s)

3221018 3259099 3226269

Additional sheet(s) attached?  Yes  No

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):

**5. Name & 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: 441151075

Phone Number: 2165662432

Fax Number: 2165154400

Email Address: legal\_ip@sherwin.com

**6. Total number of applications and registrations involved:**

16

**7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ 415**

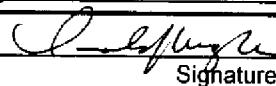
- Authorized to be charged by credit card
- Authorized to be charged to deposit account
- Enclosed

**8. Payment Information:**

a. Credit Card Last 4 Numbers 0860  
Expiration Date 10/2009

b. Deposit Account Number \_\_\_\_\_  
Authorized User Name \_\_\_\_\_

**9. Signature:**

  
Signature

7/27/07  
Date

Donald J. Puglisi, President  
Name of Person Signing

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

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:  
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

OP \$415.00 77208405

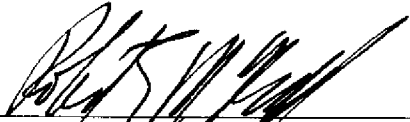
**ASSIGNMENT AGREEMENT**

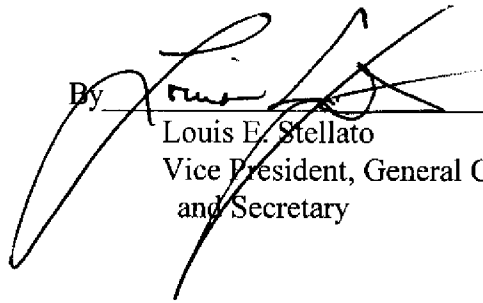
KNOW ALL MEN BY THESE PRESENTS, that The Sherwin-Williams Company, an Ohio corporation with its principal place of business at 101 Prospect Avenue NW, Cleveland, Ohio 44115-1075, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, does hereby assign, transfer 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 August, 2007, 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 3<sup>rd</sup> day of August, 2007, 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 J. Parkin*  
 \_\_\_\_\_  
 NOTARY PUBLIC  
 DEBORAH J. PARKIN  
 Notary Public, State of Ohio, Cuy. Cty.  
 My Commission Expires June 14, 2010

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

The Sherwin-Williams Company	)
Conveying Party,	)
	)
and	)
	)
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

**REQUEST FOR RECORDATION OF ASSIGNMENT  
 AND APPOINTMENT OF ATTORNEYS OF RECORD**

Dear Sir:

Enclosed please find a copy of an assignment document designated "ASSIGNMENT AGREEMENT", dated August 1, 2007, in which the following U.S. trademark registrations and pending U.S. trademark applications were assigned from The Sherwin-Williams Company to SWIMC, Inc.:

<b>MARK</b>	<b>REG. NO. (SER. NO.)</b>
AWX	(77/208405)
COVER THE EARTH (+DESIGN)	(77/208211)
FABULOUS FINISHES	(77/208224)
FINISH LINE	3221018
FIX'N FINISH	(77/209297)
LANOLIN SOFT	(78/509639)
NEVER COMPROMISE	3259099
PLANET COLOR	(78/734607)
PLANET COLOR (+DESIGN)	(78/737691)
POWER BOWL	(78/509636)
SHERFLEX	(78/858970)
SHER-KEM	(77/215797)

<u>MARK</u>	<u>REG. NO.</u> <u>(SER. NO.)</u>
SHERWIN-WILLIAMS	(77/208219)
SQUEEGEE PRIME	3226269
SUPREME MAX 33	(77/218809)
URE-FLEX	(77/220356)


SWIMC, Inc., having its principal office and place of business at 300 Delaware Avenue, Suite 522, Wilmington, Delaware 19801, respectfully requests that the attached assignment be made of record for the above-identified U.S. trademark registrations.

The undersigned, acting on behalf of SWIMC, Inc., hereby appoints ROBERT E. McDONALD, Reg. No. 29,193 and VIVIEN Y. TSANG, Reg. No. 40,209 and ARTHI K. TIREY, Reg. No. 50,960 and ERYN ACE FUHRER, Reg. No. 44,491 and DERON A. COOK, Reg. No. 52,767, whose address is The Sherwin-Williams Company, 101 Prospect Avenue NW, Cleveland, Ohio 44115-1075, and whose telephone number is (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

**Schedule A****U.S. PENDING TRADEMARKS**

<b><u>Trademark</u></b>	<b><u>Ser. No.</u></b>	<b><u>Filing Date</u></b>
AWX	77/208405	18-JUN-2007
COVER THE EARTH	77/208211	18-JUN-2007
FABULOUS FINISHES	77/208224	18-JUN-2007
FIX'N FINISH	77/209297	19-JUN-2007
LANOLIN SOFT	78/509639	02-NOV-2004
PLANET COLOR	78/734607	17-OCT-2005
PLANET COLOR (+DESIGN)	78/737691	21-OCT-2005
POWER BOWL	78/509636	02-NOV-2004
SHERFLEX	78/585970	11-APR-2006
SHER-KEM	77/215797	26-JUN-2006
SHERWIN-WILLIAMS	77/208219	18-JUN-2006
SUPREME MAX 33	77/208219	29-JUN-2007
URE-FLEX	77/220356	02-JUL-2007

**U.S. REGISTERED TRADEMARKS**

<b><u>Trademark</u></b>	<b><u>Reg. No.</u></b>	<b><u>Reg. Date</u></b>
FINISH LINE	3221018	27-MAR-2007
NEVER COMPROMISE	3259099	03-JUL-2007
SQUEEGEE PRIME	3226269	03-APR-2007

**IN THE UNITED STATES TRADEMARK OFFICE**

The Sherwin-Williams Company	)
Conveying Party,	)
	)
and	)
	)
SWIMC, Inc.	)
Receiving Party.	)

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 PO Box 1450  
 Alexandria, VA 22313-1450

**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 8, 2007 :

1. Recordation Form Cover Sheet (Form PTO-1594), in duplicate;
2. Credit Card Payment Form;
3. Request for Recordation of Assignment and Appointment of Attorneys of Record; and
4. ASSIGNMENT AGREEMENT dated August 1, 2007

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

  
 (Signature of person mailing paper or fee)