

ESTTA Tracking number: **ESTTA544258**

Filing date: **06/20/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	United Industries Corporation		
Entity	Corporation	Citizenship	Delaware
Address	One Rider Trail Plaza Drive Earth City, MO 63045 UNITED STATES		

Attorney information	William M. Bryner Kilpatrick Townsend & Stockton LLP 1001 West Fourth Street Winston-Salem, NC 27101 UNITED STATES bbryner@ktslaw.com, svayner@ktslaw.com, kteilhaber@ktslaw.com, tmadmin@ktslaw.com		
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Applicant Information

Application No	85805232	Publication date	05/21/2013
Opposition Filing Date	06/20/2013	Opposition Period Ends	06/20/2013
International Registration No.	NONE	International Registration Date	NONE
Applicant	Chemian Technology Limited Unit 2 80 Eastmount Road Darlington, DL11LA UNITED KINGDOM		

Goods/Services Affected by Opposition

Class 005. All goods and services in the class are opposed, namely: Insect repellent preparations
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Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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Mark Cited by Opposer as Basis for Opposition

U.S. Registration No.	1285753	Application Date	08/15/1979
Registration Date	07/17/1984	Foreign Priority Date	NONE
Word Mark	REPEL		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 005. First use: First Use: 1968/09/15 First Use In Commerce: 1968/11/15 Insect Repellent

Attachments	2013.06.20 Notice of Opposition with Exhibits.pdf(526384 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/William M. Bryner/
Name	William M. Bryner
Date	06/20/2013

relevant public throughout the United States and is a symbol of the substantial goodwill and recognition established by UIC for the REPEL Mark.

4. In addition to its strong common law rights in the REPEL Mark, Opposer is the owner of Registration No. 1285753 of the REPEL Mark (the “REPEL Registration”). The REPEL Registration specifies “insect repellent” in International Class 5 as the goods for which the REPEL Mark is registered. The REPEL Registration was issued on July 17, 1984 and claims a date of first use of November 15, 1968.

5. The REPEL Registration is valid and subsisting, and has been registered on the Principal Register for more than five years. In accordance with 37 C.F.R. § 2.122(d)(1), electronic copies of records from the USPTO’s online TSDR database, demonstrating the current status and title of the REPEL Registration, are attached as **Exhibit A**.

6. Because of the high degree of distinctiveness of the REPEL Mark, the length of time and extent to which UIC has used the REPEL Mark, the advertising and publicity the REPEL Mark has received, the substantial trading area in which the REPEL Mark is used, and the high degree of consumer recognition of the REPEL Mark, the REPEL Mark is a well-known and strong trademark, deserving of a broad scope of legal protection.

7. On December 18, 2012, Applicant Chemian Technology Limited (“Applicant”) filed the Application, which seeks to register the trademark CITREPEL (“Applicant’s Mark”) in standard character format in connection with “insect repellent preparations” in International Class 5.

8. The goods recited in the Application are identical or highly related to the goods that Opposer currently provides in intrastate and interstate commerce in connection with its REPEL Mark, and which UIC has provided for decades prior to any actual or constructive use

date of Applicant's Mark. Moreover, the goods recited in the Application are also identical or highly related to the goods identified in the REPEL Registration.

9. Applicant's Mark is very similar in sight, sound, appearance, and commercial impression to the REPEL Mark. Indeed, Applicant's Mark incorporates the entirety of the REPEL Mark.

10. Applicant had constructive knowledge and, on information and belief, also had actual knowledge of the REPEL Mark prior to adopting Applicant's Mark.

11. Applicant had constructive knowledge and, on information and belief, also had actual knowledge of the REPEL Mark prior to filing the Application.

12. UIC has continuously used its REPEL Mark since prior to the filing date of the Application, and the REPEL Registration was issued prior to the filing date of the Application.

13. Opposer believes it will be damaged by registration of Applicant's Mark because the mark so resembles the REPEL Mark and the mark shown in the REPEL Registration as to be likely to cause confusion, mistake, and/or deception. Consumers familiar with the REPEL Mark and products would be likely, erroneously, to believe that Applicant's goods are the goods of UIC or are authorized, endorsed, sponsored, or licensed by UIC. Thus, registration of Applicant's Mark on the Principal Register would be inconsistent with Opposer's prior rights in its REPEL Mark.

14. The required \$300.00 opposition fee is being submitted electronically with this Notice of Opposition. The Director is authorized to debit Kilpatrick Townsend & Stockton LLP's Trademark Deposit Account No. 20-1430 for any deficiency in the required fee.

WHEREFORE, Opposer requests that Application Serial No. 85805232 be refused in its entirety and that no registration issue thereon to Applicant and, further, that this Opposition be sustained in favor of Opposer.

Please recognize William M. Bryner, Sabina A. Vayner, and the law firm of Kilpatrick Townsend & Stockton LLP as attorneys for Opposer in connection with this opposition proceeding. Please address all correspondence regarding this proceeding to William M. Bryner at Kilpatrick Townsend & Stockton LLP, 1001 West Fourth Street, Winston-Salem, NC, 27101.

This 20th day of June, 2013.

Respectfully submitted,



William M. Bryner
Kilpatrick Townsend & Stockton LLP
1001 West Fourth Street
Winston-Salem, NC 27101
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bbryner@kilpatricktownsend.com

Sabina A. Vayner
Kilpatrick Townsend & Stockton LLP
1100 Peachtree Street, Suite 2800
Atlanta, Georgia 30309-4528
Telephone: (404) 815-6500
svayner@kilpatricktownsend.com

*Attorneys for Opposer
United Industries Corporation*

EXHIBIT A

Generated on: This page was generated by TSDR on 2013-06-20 17:24:20 EDT

Mark: REPEL

US Serial Number: 73227560
US Registration Number: 1285753
Register: Principal
Mark Type: Trademark
Status: The registration has been renewed.
Status Date: Aug. 10, 2004
Publication Date: Apr. 24, 1984

Application Filing Date: Aug. 15, 1979
Registration Date: Jul. 17, 1984

Mark Information

Mark Literal Elements: REPEL
Standard Character Claim: No
Mark Drawing Type: 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)
Acquired Distinctiveness Claim: In whole

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Insect Repellent
International Class(es): 005 - Primary Class
Class Status: ACTIVE
Basis: 1(a)
First Use: Sep. 15, 1968

U.S Class(es): 006
Use in Commerce: Nov. 15, 1968

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: WP BRANDS INC
Owner Address: 2150 SCHUETZ RD
ST LOUIS, MISSOURI 63146
UNITED STATES

Legal Entity Type: CORPORATION
State or Country Where Organized: WISCONSIN

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: CONNIE WOOTEN
 UNITED INDUSTRIES CORPORATION
 2150 SCHUETZ RD
 SAINT LOUIS, MISSOURI 63146
 UNITED STATES

Phone: 314-427-0780

Correspondent e-mail: connie_wooten@spectrumbrands.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 02, 2011	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Mar. 22, 2011	CASE FILE IN TICRS	
Mar. 04, 2011	CASE FILE IN TICRS	
Jul. 29, 2009	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Oct. 10, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jul. 04, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Aug. 10, 2004	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Aug. 10, 2004	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 02, 2004	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jun. 02, 2004	TEAS SECTION 8 & 9 RECEIVED	
Mar. 26, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 06, 1989	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Aug. 21, 1989	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Aug. 17, 1988	AMENDMENT UNDER SECTION 7 - ISSUED	
Jun. 16, 1988	SEC 7 REQUEST FILED	
Jul. 17, 1984	REGISTERED-PRINCIPAL REGISTER	
Apr. 24, 1984	PUBLISHED FOR OPPOSITION	
Mar. 05, 1984	NOTICE OF PUBLICATION	
Jan. 20, 1984	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 05, 1983	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Nov. 07, 1983	FINAL REFUSAL MAILED	
Aug. 01, 1980	NON-FINAL ACTION MAILED	
Jun. 16, 1980	ASSIGNED TO EXAMINER	
Nov. 20, 1979	ASSIGNED TO EXAMINER	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Jul. 17, 2004

Change in Registration: Yes

Amendment to a Registration/Renewal Certificate: THE DRAWING IS AMENDED TO APPEAR AS FOLLOWS: REPEL.

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND

Date in Location: Mar. 22, 2011

Assignment Abstract Of Title Information

Summary

Total Assignments: 29

Registrant: BADGER PHARMACAL CO.

Assignment 1 of 29

Conveyance: CHANGE OF NAME 19890901

Reel/Frame: [0815/0344](#)

Pages: 14

Date Recorded: Sep. 16, 1991

Supporting Documents: No Supporting Documents Available

AssignorName: [BADGER PHARMACAL, INC.](#)

Execution Date: Aug. 07, 1989

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

AssigneeName: [WISCONSIN PHARMACAL COMPANY, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Address: No Assignee Address Found

Correspondent

Correspondent Name: ANDRUS, SCEALES, STARKE & SAWALL

Correspondent Address: 100 EAST WISCONSIN AVENUE, STE. 1100
MILWAUKEE, WI 53202-4178**Domestic Representative - Not Found****Assignment 2 of 29**

Conveyance: CHANGE OF NAME 19910905

Reel/Frame: [0832/0281](#)

Pages: 16

Date Recorded: Nov. 14, 1991

Supporting Documents: No Supporting Documents Available

AssignorName: [BADGER PHARMACAL, INC.](#)

Execution Date: Aug. 07, 1989

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

AssigneeName: [WISCONSIN PHARMACAL COMPANY, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Address: No Assignee Address Found

Correspondent

Correspondent Name: REINHART BOERNER VAN DEUREN

Correspondent Address: NORRIS & REISELBACH
111 EAST WISCONSIN AVENUE
MILWAUKEE, WI 53202-4884**Domestic Representative - Not Found****Assignment 3 of 29**

Conveyance: SECURITY INTEREST

Reel/Frame: [0832/0297](#)

Pages: 3

Date Recorded: Nov. 15, 1991

Supporting Documents: No Supporting Documents Available

AssignorName: [WISCONSIN PHARMACAL COMPANY, INC.](#)

Execution Date: Nov. 08, 1991

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

AssigneeName: [BANK ONE, MILWAUKEE \(N.A.\)](#)

Legal Entity Type: A NATIONAL BANKING ASSOCIATION

State or Country Where Organized: No Place Where Organized Found

Address: 111 EAST WISCONSIN AVENUE
MILWAUKEE, WISCONSIN 53202**Correspondent**

Correspondent Name: MICHAEL, BEST & FRIEDRICH

Correspondent Address: 100 EAST WISCONSIN AVENUE
MILWAUKEE, WI 53202-0656

Domestic Representative - Not Found

Assignment 4 of 29

Conveyance: SECURITY INTEREST

Reel/Frame: [0909/0968](#)

Pages: 10

Date Recorded: Sep. 29, 1992

Supporting Documents: No Supporting Documents Available

Assignor

Name: [WISCONSIN PHARMACAL COMPANY, INC.](#)

Execution Date: Sep. 17, 1992

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Assignee

Name: [BANK ONE, MILWAUKEE, NA](#)

Legal Entity Type: COMPANY

State or Country Where Organized: No Place Where Organized Found

Address: 111 EAST WISCONSIN AVENUE MILWAUKEE, WI 53202

Correspondent

Correspondent Name: MICHAEL BEST & FRIEDRICH

Correspondent Address: CHRISTINE H. CLEARY
100 EAST WISCONSIN AVE., SUITE 3300
MILWAUKEE, WI 53202

Domestic Representative - Not Found

Assignment 5 of 29

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

Reel/Frame: [1202/0065](#)

Pages: 7

Date Recorded: Jun. 29, 1994

Supporting Documents: No Supporting Documents Available

Assignor

Name: [WISCONSIN PHARMACAL COMPANY, INC.](#)

Execution Date: Apr. 01, 1994

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Assignee

Name: [WPC HOLDINGS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Address: ONE REPEL ROAD
JACKSON, WISCONSIN 53037

Correspondent

Correspondent Name: DAVID & KUELTHAU, S.C.

Correspondent Address: JAMES A. BRINDLEY, ESQ.
111 E. KILBOURN AVENUE
SUITE 1400
MILWAUKEE, WI 53202-6613

Domestic Representative - Not Found

Assignment 6 of 29

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

Reel/Frame: [1190/0261](#)

Pages: 8

Date Recorded: Aug. 01, 1994

Supporting Documents: No Supporting Documents Available

Assignor

Name: [WISCONSIN PHARMACAL COMPANY, INC.](#)

Execution Date: Jun. 23, 1994

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Assignee

Name: [WPC HOLDINGS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Address: 2977 HIGHWAY 60
JACKSON, WI 53037

Correspondent

Correspondent Name: PETER W. BECKER

Correspondent Address: REINHART, BOERNER, VAN DEUREN, ET AL.
1000 N. WATER STREET, SUITE 2100
MILWAUKEE, WI 53202

Domestic Representative - Not Found

Assignment 7 of 29

Conveyance: SECURITY INTEREST

Reel/Frame: [1202/0045](#)

Pages: 20

Date Recorded: Jun. 29, 1994

Supporting Documents: No Supporting Documents Available

Assignor

Name: [WPC HOLDINGS, INC.](#)

Execution Date: Jun. 23, 1994

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Assignee

Name: [FIRST BANK \(N.A.\)](#)

Legal Entity Type: ASSOCIATION

State or Country Where Organized: No Place Where Organized Found

Address: 201 WEST WISCONSIN AVE.
MILWAUKEE, WISCONSIN 532590911

Correspondent

Correspondent Name: DAVIS & KUELTHAU, S.C.

Correspondent Address: JAMES A. BRINDLEY, ESQ.
111 E. KILBOURN AVE., STE. 1400
MILWAUKEE, WI 53202-6613

Domestic Representative - Not Found

Assignment 8 of 29

Conveyance: RELEASE OF SECURITY INTERESTS

Reel/Frame: [1425/0143](#)

Pages: 6

Date Recorded: Jan. 23, 1996

Supporting Documents: No Supporting Documents Available

Assignor

Name: [BANK ONE](#)

Execution Date: Jan. 22, 1996

Legal Entity Type: NATIONAL BANKING ASSOCIATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [WISCONSIN PHARMACAL COMPANY, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Address: 2977 HIGHWAY 60
JACKSON, WISCONSIN 53207

Correspondent

Correspondent Name: REINHART, BOERNER, VAN DEUREN ET AL.

Correspondent Address: PETER W. BECKER
P.O. BOX 92900
MILWAUKEE, WI 53202

Domestic Representative - Not Found

Assignment 9 of 29

Conveyance: RELEASE OF SECURITY INTERESTS

Reel/Frame: [1425/0171](#)

Pages: 6

Date Recorded: Jan. 23, 1996

Supporting Documents: No Supporting Documents Available

Assignor

Name: [FIRST BANK](#)

Execution Date: Jan. 22, 1996

Legal Entity Type: NATIONAL BANKING ASSOCIATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [WPC HOLDINGS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Address: ONE REPEL ROAD
JACKSON, WISCONSIN 53037

Correspondent

Correspondent Name: REINHART, BOERNER, VAN DEUREN, NORRIS

Correspondent Address: & RIESELBACH, S.C.
PETER W. BECKER, ESQ.
P.O. BOX 92900
MILWAUKEE, WI 53202

Domestic Representative - Not Found

Assignment 10 of 29

Conveyance: SECURITY INTEREST

Reel/Frame: [1434/0857](#)

Pages: 6

Date Recorded: Feb. 27, 1996

Supporting Documents: No Supporting Documents Available

Assignor

Name: [WPC HOLDINGS, INC.\(SOON TO BE RENAMED
WISCONSIN PHARMACAL, INC.\)](#)

Execution Date: Jan. 29, 1996

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** WISCONSIN

Assignee

Name: [ASSOCIATED BANK MILWAUKEE](#)

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** WISCONSIN

Address: 515 WEST WELLS STREET
MILWAUKEE, WISCONSIN 53203

Correspondent

Correspondent Name: ADAM L. BROOKMAN

Correspondent Address: 780 N. WATER STREET
MILWAUKEE, WI 53202

Domestic Representative - Not Found

Assignment 11 of 29

Conveyance: CHANGE OF NAME

Reel/Frame: [1461/0365](#)

Pages: 15

Date Recorded: May 09, 1996

Supporting Documents: No Supporting Documents Available

Assignor

Name: [WPC HOLDINGS, INC.](#)

Execution Date: Jan. 29, 1996

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** WISCONSIN

Assignee

Name: [WISCONSIN PHARMACAL COMPANY, INC.](#)

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** WISCONSIN

Address: ONE REPEL ROAD
JACKSON, WISCONSIN 53037

Correspondent

Correspondent Name: QUARLES & BRADY

Correspondent Address: MARTA S. LEVINE
411 EAST WISCONSIN AVENUE
MILWAUKEE, WI 53202

Domestic Representative - Not Found

Assignment 12 of 29

Conveyance: CHANGE OF NAME

Reel/Frame: [2062/0253](#)

Pages: 4

Date Recorded: Jun. 22, 2000

Supporting Documents: [assignment-tm-2062-0253.pdf](#)

Assignor

Name: [WISCONSIN PHARMACAL COMPANY, INC.](#)

Execution Date: Nov. 29, 1999

Legal Entity Type: CORPORATION

**State or Country Where
Organized:** WISCONSIN

Assignee

Name: [WPC BRANDS, INC.](#)
Legal Entity Type: CORPORATION State or Country Where Organized: WISCONSIN
Address: 1 REPEL ROAD
P.O. BOX 198
JACKSON, WISCONSIN 53037

Correspondent

Correspondent Name: QUARLES & BRADY LLP
Correspondent Address: CHERYL A. JOHNSON
411 EAST WISCONSIN AVENUE
MILWAUKEE, WI 53202

Domestic Representative - Not Found

Assignment 13 of 29

Conveyance: SECURITY INTEREST
Reel/Frame: [2681/0463](#) Pages: 6
Date Recorded: Feb. 27, 2003
Supporting Documents: [assignment-tm-2681-0463.pdf](#)

Assignor

Name: [WPC BRANDS, INC.](#) Execution Date: Dec. 06, 2002
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [BANK OF AMERICA, N.A.](#) State or Country Where Organized: No Place Where Organized Found
Legal Entity Type: NATIONAL ASSOCIATION
Address: 100 NORTH TRYON STREET
CHARLOTTE, NORTH CAROLINA 28255

Correspondent

Correspondent Name: SHEARMAN & STERLING
Correspondent Address: INTELLECTUAL PROPERTY DOCKETING
599 LEXINGTON AVENUE
NEW YORK, NEW YORK 10022

Domestic Representative - Not Found

Assignment 14 of 29

Conveyance: SECURITY AGREEMENT
Reel/Frame: [3041/0497](#) Pages: 31
Date Recorded: Aug. 30, 2004
Supporting Documents: [assignment-tm-3041-0497.pdf](#)

Assignor

Name: [UNITED INDUSTRIES CORPORATION](#) Execution Date: Apr. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [GROUND ZERO INC.](#) Execution Date: Apr. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [SCHULTZ COMPANY](#) Execution Date: Apr. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [SYLORR PLANT CORP.](#) Execution Date: Apr. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [WPC BRANDS, INC.](#) Execution Date: Apr. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [NU-GRO US HOLDCO CORPORATION](#) Execution Date: Apr. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [IB NITROGEN INC.](#) Execution Date: Apr. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [NU-GRO AMERICA CORP.](#) Execution Date: Apr. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [NU-GRO TECHNOLOGIES, INC.](#) Execution Date: Apr. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [BANK OF AMERICA, N.A.](#) Execution Date: Apr. 30, 2004
Legal Entity Type: NATIONAL ASSOCIATION State or Country Where Organized: No Place Where Organized Found

Address: 100 NORTH TYRON STREET
CHARLOTTE, NORTH CAROLINA 282555

Correspondent

Correspondent Name: SHEARMAN & STERLING LLP
Correspondent Address: ALEXANDER M. KIM
599 LEXINGTON AVENUE
INTELLECTUAL PROPERTY DOCKETING
NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 15 of 29

Conveyance: AMENDMENT AND SUPPLEMENT TO FIRST LIEN INTELLECTUAL PROPERTY SECURITY AGREEMENT
Reel/Frame: [3048/0544](#) Pages: 36
Date Recorded: Sep. 07, 2004
Supporting Documents: [assignment-tm-3048-0544.pdf](#)

Assignor

Name: [UNITED INDUSTRIES CORPORATION](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [GROUND ZERO INC.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [SCHULTZ COMPANY](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [SYLORR PLANT CORP.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [WPC BRANDS, INC.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [NU-GRO US HOLDCO CORPORATION](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [IB NITROGEN INC.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [AQ HOLDINGS INC.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [PERFECTO HOLDING CORP.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [AQUARIUM SYSTEMS, INC.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [PERFECTO MANUFACTURING, INC.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [JUNGLE TALK INTERNATIONAL, INC.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [PETS 'N PEOPLE, INC.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [NU-GRO AMERICA CORP.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [NU-GRO TECHNOLOGIES, INC.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [UNITED PET GROUP, INC.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [SOUTHERN CALIFIRNIA FOAM, INC.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [AQUARIA, INC.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [DB ONLINE, LLC](#) Execution Date: Jul. 30, 2004
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [BANK OF AMERICA, N.A.](#)
Legal Entity Type: NATIONAL ASSOCIATION State or Country Where Organized: No Place Where Organized Found
Address: 100 NORTH TYRON STREET
CHARLOTTE, NORTH CAROLINA 28255

Correspondent

Correspondent Name: SHEARMAN & STERLING LLP, IP DOCKETING
Correspondent Address: KEUM A. YOON
599 LEXINGTON AVENUE
NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 16 of 29

Conveyance: SECOND LIEN ON INTELLECTUAL PROPERTY SECURITY AGREEMENT
Reel/Frame: [3056/0458](#) Pages: 33
Date Recorded: Sep. 07, 2004
Supporting Documents: [assignment-tm-3056-0458.pdf](#)

Assignor

Name: [UNITED INDUSTRIES CORPORATION](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [GROUND ZERO INC.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [SCHULTZ COMPANY](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [SYLORR PLANT CORP.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [WPC BRANDS, INC.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [NU-GRO US HOLDCO CORPORATION](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [IB NITROGEN INC.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [NU-GRO AMERICA CORP.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [NU-GRO TECHNOLOGIES, INC.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [UNITED PET GROUP, INC.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [AQ HOLDINGS, INC.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [PERFECTO HOLDING CORP.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [AQUARIUM SYSTEM, INC.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [PERFECTO MANUFACTURING, INC.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [JUNGLE TALK INTERNATIONAL, INC.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [PETS 'N PEOPLE, INC.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [SOUTHERN CALIFORNIA FOAM, INC.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [AQUARIA, INC.](#) Execution Date: Jul. 30, 2004
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [DB ONLINE, LLC](#) Execution Date: Jul. 30, 2004
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [BANK OF AMERICA, N.A.](#)
Legal Entity Type: NATIONAL ASSOCIATION State or Country Where Organized: No Place Where Organized Found

Address: 100 NORTH TYRON STREET
CHARLOTTE, NORTH CAROLINA 28255

Correspondent

Correspondent Name: SHEARMAN & STERLING, LLP
Correspondent Address: INTELLECTUAL PROPERTY DOCKETING
599 LEXINGTON AVENUE
NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 17 of 29

Conveyance: SECURITY INTEREST
Reel/Frame: [3195/0888](#)
Date Recorded: May 23, 2005

Supporting Documents: [assignment-tm-3195-0888.pdf](#)

Assignor

Name: [RAYOVAC CORPORATION](#) Execution Date: Feb. 07, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [JUNGLETALK INTERNATIONAL, INC.](#) Execution Date: Feb. 07, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [ROVCAL, INC.](#) Execution Date: Feb. 07, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [ROV HOLDING, INC.](#) Execution Date: Feb. 07, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [UNITED INDUSTRIES CORPORATION](#) Execution Date: Feb. 07, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [NU-GRO AMERICA CORP](#) Execution Date: Feb. 07, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [NU-GRO US HOLDCO CORP.](#) Execution Date: Feb. 07, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [SCHULTZ COMPANY](#) Execution Date: Feb. 07, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [SYLORR PLANT CORP.](#) Execution Date: Feb. 07, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [WPC BRANDS, INC.](#) Execution Date: Feb. 07, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [UNITED PET GROUP, INC.](#) Execution Date: Feb. 07, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [NITROGEN INC.](#) Execution Date: Feb. 07, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [NU-GRO TECHNOLOGIES, INC.](#) Execution Date: Feb. 07, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [GROUND ZERO, INC.](#) Execution Date: Feb. 07, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [ONLINE, LLC](#) Execution Date: Feb. 07, 2005
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: No Place Where Organized Found

Name: [PETS 'N PEOPLE, INC.](#) Execution Date: Feb. 07, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [AQ HOLDINGS, INC.](#) Execution Date: Feb. 07, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [SOUTHERN CALIFORNIA FOAM, INC.](#) Execution Date: Feb. 07, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [AQUARIA, INC.](#) Execution Date: Feb. 07, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [PERFECTO HOLDING CORP.](#) Execution Date: Feb. 07, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [AQUARIUM SYSTEMS, INC.](#) Execution Date: Feb. 07, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Name: [PERFECTO MANUFACTURING, INC.](#) Execution Date: Feb. 07, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [BANK OF AMERICA, N.A.](#) Execution Date: Feb. 07, 2005
Legal Entity Type: NATIONAL ASSOCIATION State or Country Where Organized: No Place Where Organized Found

Address: 100 NORTH TRYON STREET
NORTH CAROLINA 28255

Correspondent

Correspondent Name: INTELLECTUAL PROPERTY DOCKETING

Correspondent Address: SHEARMAN & STERLING LLP
599 LEXINGTON AVENUE
NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 18 of 29

Conveyance: MERGER EFFECTIVE 10/01/2005
Reel/Frame: [4648/0041](#) Pages: 2
Date Recorded: Oct. 25, 2011
Supporting Documents: [assignment-tm-4648-0041.pdf](#)

Assignor

Name: [WPC BRANDS, INC.](#) Execution Date: Oct. 01, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: No Place Where Organized Found

Assignee

Name: [UNITED INDUSTRIES CORPORATION](#)
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Address: 1 RIDER TRAIL PLAZA
EARTH CITY, MISSOURI 63045

Correspondent

Correspondent Name: CONNIE WOOTEN

Correspondent Address: 1 RIDER TRAIL PLAZA
EARTH CITY, MO 63045

Domestic Representative - Not Found

Assignment 19 of 29

Conveyance: NUNC PRO TUNC ASSIGNMENT, EFFECTIVE AS OF 10/01/2005
Reel/Frame: [3186/0981](#) Pages: 5
Date Recorded: Nov. 03, 2005
Supporting Documents: [assignment-tm-3186-0981.pdf](#)

Assignor

Name: [WPC BRANDS, INC.](#) Execution Date: Nov. 03, 2005
Legal Entity Type: CORPORATION State or Country Where Organized: WISCONSIN

Assignee

Name: [UNITED INDUSTRIES CORPORATION](#)
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE

Address: 2150 SCHUETZ RD.
ST. LOUIS, MISSOURI 63146

Correspondent

Correspondent Name: CONNIE WOOTEN

Correspondent Address: 2150 SCHUETZ RD.
ST. LOUIS, MO 63146

Domestic Representative - Not Found

Assignment 20 of 29

Conveyance: RELEASE BY SECURED PARTY

Reel/Frame: [3490/0187](#)

Pages: 5

Date Recorded: Feb. 28, 2007

Supporting Documents: [assignment-tm-3490-0187.pdf](#)

Assignor

Name: [ASSOCIATED BANK, N.A.](#)

Execution Date: Feb. 23, 2007

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

DBA, AKA, TA, Formerly: FORMERLY ASSOCIATED BANK OF MILWAUKEE

Assignee

Name: [UNITED INDUSTRIES CORPORATION](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: MISSOURI

Address: 13260 CORPORATE EXCHANGE DRIVE
ST. LOUIS, MISSOURI 63044

Correspondent

Correspondent Name: KAR YEE TSE

Correspondent Address: 999 PEACHTREE STREET N.E.
SUTHERLAND ASBILL & BRENNAN LLP
ATLANTA, GA 30309

Domestic Representative - Not Found

Assignment 21 of 29

Conveyance: SECURITY AGREEMENT

Reel/Frame: [3569/0464](#)

Pages: 39

Date Recorded: Jun. 27, 2007

Supporting Documents: [assignment-tm-3569-0464.pdf](#)

Assignor

Name: [AQUARIA, INC.](#)

Execution Date: Mar. 30, 2007

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Name: [AQUARIUM SYSTEMS, INC.](#)

Execution Date: Mar. 30, 2007

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Name: [UNITED PET GROUP, INC.](#)

Execution Date: Mar. 30, 2007

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Name: [SPECTRUM BRANDS, INC.](#)

Execution Date: Mar. 30, 2007

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

DBA, AKA, TA, Formerly: FORMERLY RAYOVAC CORPORATION

Name: [ROVCAL, INC.](#)

Execution Date: Mar. 30, 2007

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Name: [SOUTHERN CALIFORNIA FOAM, INC.](#)

Execution Date: Mar. 30, 2007

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Name: [UNITED INDUSTRIES CORPORATION](#)

Execution Date: Mar. 30, 2007

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Name: [SCHULTZ COMPANY](#)

Execution Date: Mar. 30, 2007

Legal Entity Type: CORPORATION

State or Country Where Organized: MISSOURI

Assignee

Name: [GOLDMAN SACHS CREDIT PARTNERS L.P., AS COLLATERAL AGENT](#)
Legal Entity Type: LIMITED PARTNERSHIP **State or Country Where Organized:** No Place Where Organized Found
Address: 85 BROAD STREET
NEW YORK, NEW YORK 10004

Correspondent

Correspondent Name: IP RESEARCH PLUS, INC.
Correspondent Address: 21 TADCASTER CIRCLE
ATTN: PENELOPE J.A. AGODOA
WALDORF, MD 20602

Domestic Representative - Not Found**Assignment 22 of 29**

Conveyance: TERMINATION AND RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY
Reel/Frame: [3630/0089](#) **Pages:** 99
Date Recorded: Sep. 27, 2007
Supporting Documents: [assignment-tm-3630-0089.pdf](#)

Assignor

Name: [BANK OF AMERICA, N.A.](#) **Execution Date:** May 31, 2007
Legal Entity Type: NATIONAL BANKING ASSOCIATION **State or Country Where Organized:** UNITED STATES

Assignee

Name: [SPECTRUM BRANDS, INC. \(F/K/A RAYOVAC CORPORATION\)](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** WISCONSIN
Address: SIX CONCOURSE PARKWAY
SUITE 3300
ATLANTA, GEORGIA 30328

Name: [ROVVAL, INC.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** CALIFORNIA
Address: 3210 SOUTH EAST AVE
FRESNO, CALIFORNIA 93725

Name: [ROV HOLDING, INC.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE
Address: 1105 N. MARKET ST., SUITE 1300
C/O DELAWARE CORPORATE MANAGEMENT, INC.
WILMINGTON, DELAWARE 19899

Name: [UNITED INDUSTRIES CORPORATION](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE
Address: 2520 NORTHWINDS PKWY, STE. 550
ALPHARETTA, GEORGIA 30004

Name: [GROUND ZERO, INC.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** MISSOURI
Address: 2520 NORTHWINDS PKWY, STE. 550
C/O SCHULTZ COMPANY
ALPHARETTA, GEORGIA 30004

Name: [SCHULTZ COMPANY](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** MISSOURI
Address: 2520 NORTHWINDS PKWY, STE. 550
ALPHARETTA, GEORGIA 30004

Name: [SYLORR PLANT CORP.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE
Address: 2520 NORTHWINDS PKWY, STE. 550
C/O UNITED INDUSTRIES CORPORATION
ALPHARETTA, GEORGIA 30004

Name: [WPC BRANDS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: WISCONSIN

Address: 2520 NORTHWINDS PKWY, STE. 550
C/O UNITED INDUSTRIES CORPORATION
ALPHARETTA, GEORGIA 30004

Name: [SPECTRUM NEPTUNE US HOLDCO CORPORATION \(F/K/A NU-GRO U.S. HOLDCO CORPORATION\)](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: SIX CONCOURSE PARKWAY
SUITE 3300
ALTANTA, GEORGIA 30328

Name: [IB NITROGEN INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 2520 NORTHWINDS PKWY, STE. 550
C/O UNITED INDUSTRIES CORPORATION
ALPHARETTA, GEORGIA 30004

Name: [NU-GRO AMERICA CORP.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 2520 NORTHWINDS PKWY, STE. 550
C/O UNITED INDUSTRIES CORPORATION
ALPHARETTA, GEORGIA 30004

Name: [NU-GRO TECHNOLOGIES, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 2520 NORTHWINDS PKWY, STE. 550
C/O UNITED INDUSTRIES CORPORATION
ALPHARETTA, GEORGIA 30004

Name: [UNITED PET GROUP, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 7794 FIVE MILE ROAD
SUITE 190
CINCINATTI, OHIO 45230

Name: [AQ HOLDINGS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 6100 CONDOR DRIVE
C/O AQUARIA, INC.
MOORPARK, CALIFORNIA 93021

Name: [PERFECTO HOLDING CORP.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 20975 CREEK ROAD
C/O PERFECTO MANUFACTURING, INC.
NOBLESVILLE, INDIANA 46060

Name: [AQUARIUM SYSTEMS, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 8141 TYLER BLVD.
MENTOR, OHIO 44060

Name: [JUNGLETALK INTERNATIONAL, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 8141 TYLER BLVD.
C/O AQUARIUM SYSTEMS, INC.
MENTOR, OHIO 44060

Name: [PETS 'N PEOPLE INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: CALIFORNIA

Address: 7794 FIVE MILE ROAD, SUITE 190
C/O UNITED PET GROUP, INC.

CINCINNATIO, OHIO 45230

Name: [SOUTHERN CALIFORNIA FOAM, INC.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** CALIFORNIA
Address: 18-A JOURNEY SUITE #130
ALISO VIEJO, CALIFORNIA 92656

Name: [AQUARIA, INC.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** CALIFORNIA
Address: 6100 CONDOR DRIVE
MOORPARK, CALIFORNIA 93021

Name: [PERFECTO MANUFACTURING, INC.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE
Address: 20975 CREEK ROAD
NOBLESVILLE, INDIANA 46060

Correspondent

Correspondent Name: SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
Correspondent Address: 525 UNIVERSITY AVENUE
ATTN: SUZANNE DE GALAN, ESQ.
PALO ALTO, CA 94301

Domestic Representative - Not Found

Assignment 23 of 29

Conveyance: SECURITY INTEREST
Reel/Frame: [3920/0673](#) **Pages:** 10
Date Recorded: Jan. 16, 2009
Supporting Documents: [assignment-tm-3920-0673.pdf](#)

Assignor

Name: [WISCONSIN PHARMACAL COMPANY, LLC](#) **Execution Date:** Jan. 14, 2009
Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** WISCONSIN

Assignee

Name: [THE PENNINSULA FUND IV LIMITED PARTNERSHIP](#)
Legal Entity Type: LIMITED PARTNERSHIP **State or Country Where Organized:** DELAWARE
Address: 535 GRISWOLD STREET, SUITE 2050
THE BUHL BUILDING
DETROIT, MICHIGAN 48226

Correspondent

Correspondent Name: REBECCA GAN, DICKINSON WRIGHT PLLC
Correspondent Address: 1875 EYE ST., N.W.
STE. 1200
WASHINGTON, DC 20006

Domestic Representative - Not Found

Assignment 24 of 29

Conveyance: RELEASE BY SECURED PARTY
Reel/Frame: [3943/0537](#) **Pages:** 5
Date Recorded: Feb. 27, 2009
Supporting Documents: [assignment-tm-3943-0537.pdf](#)

Assignor

Name: [ASSOCIATED BANK](#) **Execution Date:** Feb. 27, 2009
Legal Entity Type: NATIONAL ASSOCIATION **State or Country Where Organized:** No Place Where Organized Found
DBA, AKA, TA, Formerly: FORMERLY ASSOCIATED BANK MILWAUKEE

Assignee

Name: [WISCONSIN PHARMACAL, INC. F/K/A WPC HOLDINGS, INC.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** WISCONSIN
Address: ONE PHARMACAL WAY
JACKSON, WISCONSIN 53037

Correspondent

Correspondent Name: KENT A. LEE
Correspondent Address: 1000 NORTH WATER STREET
SUITE 2100
MILWAUKEE, WI 53202

Domestic Representative - Not Found**Assignment 25 of 29**

Conveyance: ASSIGNMENT
Reel/Frame: [4025/0394](#) **Pages:** 40
Date Recorded: Jul. 14, 2009
Supporting Documents: [assignment-tm-4025-0394.pdf](#)

Assignor

Name: [GOLDMAN SACHS CREDIT PARTNERS L.P.](#) **Execution Date:** May 20, 2009
Legal Entity Type: LIMITED PARTNERSHIP **State or Country Where Organized:** BERMUDA

Assignee

Name: [THE BANK OF NEW YORK MELLON, AS COLLATERAL AGENT](#)
Legal Entity Type: BANK **State or Country Where Organized:** UNITED STATES
Address: 600 EAST LAS COLINAS BLVD., SUITE 1300
IRVING, TEXAS 75039

Correspondent

Correspondent Name: IP RESEARCH PLUS, INC.
Correspondent Address: 21 TADCASTER CIRCLE
ATTN: PENELOPE J.A. AGODOA
WALDORF, MD 20602

Domestic Representative - Not Found**Assignment 26 of 29**

Conveyance: SECURITY INTEREST
Reel/Frame: [4257/0399](#) **Pages:** 25
Date Recorded: Jul. 21, 2010
Supporting Documents: [assignment-tm-4257-0399.pdf](#)

Assignor

Name: [RUSSELL HOBBS, INC.](#) **Execution Date:** Jun. 16, 2010
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Name: [SPECTRUM BRANDS, INC.](#) **Execution Date:** Jun. 16, 2010
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Name: [ROV HOLDING, INC.](#) **Execution Date:** Jun. 16, 2010
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Name: [TETRA HOLDING \(US\), INC.](#) **Execution Date:** Jun. 16, 2010
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Name: [UNITED PET GROUP, INC.](#) **Execution Date:** Jun. 16, 2010
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Name: [APPLICA CONSUMER PRODUCTS, INC.](#) **Execution Date:** Jun. 16, 2010
Legal Entity Type: CORPORATION **State or Country Where Organized:** FLORIDA

Name: [ROVCAL, INC.](#) **Execution Date:** Jun. 16, 2010
Legal Entity Type: CORPORATION **State or Country Where Organized:** CALIFORNIA

Assignee

Name: [WELLS FARGO BANK, NATIONAL ASSOCIATION](#)
Legal Entity Type: BANK **State or Country Where Organized:** UNITED STATES
Address: 7000 CENTRAL PARKWAY, SUITE 550

ATLANTA, GEORGIA 30328

Correspondent

Correspondent Name: ELLSPETH CALLAHAN
Correspondent Address: NATIONAL CORPORATE RESEARCH
1100 G STREET NW, SUITE 420
WASHINGTON, DC 20005

Domestic Representative - Not Found

Assignment 27 of 29

Conveyance: SECURITY INTEREST
Reel/Frame: [4271/0798](#) **Pages:** 42
Date Recorded: Aug. 11, 2010
Supporting Documents: [assignment-tm-4271-0798.pdf](#)

Assignor

Name: [RUSSELL HOBBS, INC.](#) **Execution Date:** Jun. 16, 2010
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Name: [APPLICA CONSUMER PRODUCTS, INC.](#) **Execution Date:** Jun. 16, 2010
Legal Entity Type: CORPORATION **State or Country Where Organized:** FLORIDA

Name: [TOASTMASTER INC.](#) **Execution Date:** Jun. 16, 2010
Legal Entity Type: CORPORATION **State or Country Where Organized:** MISSOURI

Name: [SPECTRUM BRANDS, INC.](#) **Execution Date:** Jun. 16, 2010
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Name: [ROVCAL, INC.](#) **Execution Date:** Jun. 16, 2010
Legal Entity Type: CORPORATION **State or Country Where Organized:** CALIFORNIA

Name: [TETRA HOLDING \(US\), INC.](#) **Execution Date:** Jun. 16, 2010
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Name: [UNITED PET GROUP, INC.](#) **Execution Date:** Jun. 16, 2010
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Name: [UNITED INDUSTRIES CORPORATION](#) **Execution Date:** Jun. 16, 2010
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Assignee

Name: [BANK OF AMERICA, N.A., AS ADMINISTRATIVE AGENT](#)
Legal Entity Type: NATIONAL BANKING ASSOCIATION (USA) **State or Country Where Organized:** No Place Where Organized Found
Address: 300 GALLERIA PARKWAY
SUITE 800
ATLANTA, GEORGIA 30339

Correspondent

Correspondent Name: RHONDA J. BIRDWELL, PARALEGAL
Correspondent Address: 285 PEACHTREE CENTER AVENUE
SUITE 1500
ATLANTA, GA 30303

Domestic Representative - Not Found

Assignment 28 of 29

Conveyance: RELEASE BY SECURED PARTY
Reel/Frame: [4271/0946](#) **Pages:** 36
Date Recorded: Aug. 20, 2010
Supporting Documents: [assignment-tm-4271-0946.pdf](#)

Assignor

Name: [BANK OF AMERICA, N.A.](#) **Execution Date:** Jun. 16, 2010
Legal Entity Type: CORPORATION **State or Country Where Organized:** No Place Where Organized Found

Assignee

Name: [APPLICA CONSUMER PRODUCTS, INC.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE
Address: 601 RAYOVAC DRIVE
MADISON, WISCONSIN 53711-2497

Correspondent

Correspondent Name: ZOE HILDEN
Correspondent Address: 1285 AVENUE OF THE AMERICAS
NEW YORK, NY 10019-6064

Domestic Representative - Not Found**Assignment 29 of 29**

Conveyance: RELEASE BY SECURED PARTY
Reel/Frame: [4263/0817](#) **Pages:** 36
Date Recorded: Aug. 20, 2010
Supporting Documents: [assignment-tm-4263-0817.pdf](#)

Assignor

Name: [BANK OF NEW YORK MELLON](#) **Execution Date:** Jul. 15, 2010
Legal Entity Type: CORPORATION **State or Country Where Organized:** No Place Where Organized Found

Assignee

Name: [APPLICA CONSUMER PRODUCTS, INC.](#)
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE
Address: 601 RAYOVAC DRIVE
MADISON, WISCONSIN 53711-2497

Correspondent

Correspondent Name: ZOE HILDEN
Correspondent Address: 1285 AVENUE OF THE AMERICAS
NEW YORK, NY 10019-6064

Domestic Representative - Not Found**Proceedings****Summary**

Number of Proceedings: 3

Type of Proceeding: Opposition

Proceeding Number: [91210054](#) **Filing Date:** Apr 03, 2013
Status: Terminated **Status Date:** May 30, 2013
Interlocutory Attorney: ROBERT COGGINS

Defendant

Name: Sterling International Inc.
Correspondent Address: EVERETT E FRUEHLING
CHRISTENSEN O'CONNOR JOHNSON KINDNESS
1420 5TH AVE , STE 2800
SEATTLE WA , 98101-1344
UNITED STATES
Correspondent e-mail: efling@cojk.com , everett.fruehling@cojk.com , alina.morris@cojk.com , litdoc@cojk.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
RESCUE! REPELSTIK	Abandoned - After Inter-Partes Decision	85636305	

Plaintiff(s)

Name: United Industries Corporation
Correspondent Address: WILLIAM M BRYNER
KILPATRICK TOWNSEND & STOCKTON LLP
1001 WEST FOURTH STREET
WINSTON-SALEM NC , 27101
UNITED STATES
Correspondent e-mail: bbryner@ktslaw.com , svayner@ktslaw.com , kteilhaber@ktslaw.com , tmadmin@ktslaw.com

Associated marks

Mark	Application Status	Serial Number	Registration
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REPEL	Renewed	73227560	1285753
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Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Apr 03, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Apr 03, 2013	May 13, 2013
3	PENDING, INSTITUTED	Apr 03, 2013	
4	W/DRAW OF APPLICATION	May 09, 2013	
5	RESPONSE DUE 30 DAYS (DUE DATE)	May 22, 2013	Jun 21, 2013
6	W/DRAW OF APPLICATION	May 28, 2013	
7	BD DECISION: DISMISSED W/O PREJ	May 30, 2013	
8	TERMINATED	May 30, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91209240](#)

Filing Date: Feb 08, 2013

Status: Terminated

Status Date: May 22, 2013

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Export Health, S.R.L.

Correspondent Address: CURT HANDLEY ESQ
LAW OFFICE OF CURT HANDLEY
19540 BUCKINGHAM DR , SUITE 1
MOKENA IL , 60448 2432
UNITED STATES

Correspondent e-mail: curt@intuitlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
REPELENGUE	Abandoned - After Inter-Partes Decision	73227560	1285753

Plaintiff(s)

Name: United Industries Corporation

Correspondent Address: WILLIAM M BRYNER
KILPATRICK TOWNSEND STOCKTON LLP
1001 WEST FOURTH STREET
WINSTON SALEM NC , 27101
UNITED STATES

Correspondent e-mail: bbryner@ktslaw.com , svayner@ktslaw.com , kteilhaber@ktslaw.com , tmadmin@ktslaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
REPEL	Renewed	73227560	1285753

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 08, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 08, 2013	Mar 20, 2013
3	PENDING, INSTITUTED	Feb 08, 2013	
4	NOTICE OF DEFAULT	Apr 08, 2013	
5	BD DECISION: SUSTAINED	May 22, 2013	
6	TERMINATED	May 22, 2013	

Type of Proceeding: Opposition

Proceeding Number: [91192711](#)

Filing Date: Nov 18, 2009

Status: Terminated

Status Date: Mar 03, 2010

Interlocutory Attorney: LINDA M SKORO

Defendant

Name: Repel Holdings, Inc.

Correspondent Address: BRUCE A. WILLEY
WILLEY O'BRIEN, LC

3519 CENTER POINT RD NE
CEDAR RAPIDS IA , 52402-5530
UNITED STATES

Correspondent e-mail: bwilley@willeylaw.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number

REPEL PRODUCTS	Abandoned - After Inter-Partes Decision	77455603	
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Plaintiff(s)

Name: United Industries Corporation

Correspondent Address: Alex S. Fonoroff, Sabina A. Vayner
Kilpatrick Stockton LLP
1100 Peachtree Street Suite 2800
Atlanta GA , 30309
UNITED STATES

Correspondent e-mail: afonoroff@kilpatrickstockton.com , svayner@kilpatrickstockton.com , tmadmin@kilpatrickstockton.com , rgordon@kilpatrickstockton.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number

REPEL	Renewed	73227560	1285753
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Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 18, 2009	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 18, 2009	Dec 28, 2009
3	PENDING, INSTITUTED	Nov 18, 2009	
4	NOTICE OF DEFAULT	Jan 13, 2010	
5	BOARD'S DECISION: SUSTAINED	Mar 03, 2010	
6	TERMINATED	Mar 03, 2010	

Int. Cl.: 5

Prior U.S. Cl.: 6

United States Patent and Trademark Office
Amended

Reg. No. 1,285,753
Registered July 17, 1984
OG Date Sep. 27, 1988

**TRADEMARK
PRINCIPAL REGISTER**

REPEL

BADGER PHARMACAL CO. (WISCON-
SIN CORPORATION), D.B.A. WISCON-
SIN PHARMACAL CO.,
P.O. BOX 198
JACKSON, WI 53037

FOR: INSECT REPELLENT , IN
CLASS 5 (U.S. CL. 6).

FIRST USE 9-15-1968; IN COMMERCE
11-15-1968.

SEC. 2(F).

SER. NO. 227,560, FILED 8-15-1979.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on Sep. 27, 1988.*

COMMISSIONER OF PATENTS AND TRADEMARKS

Int. Cl.: 5

Prior U.S. Cl.: 6

United States Patent and Trademark Office

Reg. No. 1,285,753
Registered Jul. 17, 1984

TRADEMARK
Principal Register

REPEL!

Badger Pharmal Co. (Wisconsin corporation), d.b.a.
Wisconsin Pharmal Co.
6769 N. Industrial Rd.
Milwaukee, Wis. 53223

For: INSECT REPELLENT, in CLASS 5 (U.S.
Cl. 6).
First use Sep. 15, 1968; in commerce Nov. 15,
1968.
Sec. 2(f).

Ser. No. 227,560, filed Aug. 15, 1979.

HELEN ROBERTS WENDEL, Examining
Attorney

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	NUNC PRO TUNC ASSIGNMENT
EFFECTIVE DATE:	10/01/2005

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
WPC Brands, Inc.		11/03/2005	CORPORATION: WISCONSIN

RECEIVING PARTY DATA

Name:	United Industries Corporation
Street Address:	2150 Schuetz Rd.
City:	St. Louis
State/Country:	MISSOURI
Postal Code:	63146
Entity Type:	CORPORATION: DELAWARE

PROPERTY NUMBERS Total: 9

Property Type	Number	Word Mark
Registration Number:	1530509	CHLORAZENE
Registration Number:	1739259	FAMILY FORMULA
Registration Number:	2885602	FAMILY FORMULA
Registration Number:	2131625	REPEL
Registration Number:	1285753	REPEL
Registration Number:	1604320	SANIZENE
Registration Number:	2631594	SPORTSMEN FORMULA
Registration Number:	1730436	SPORTSMEN FORMULA
Registration Number:	1726983	SUN & BUG STUFF

CORRESPONDENCE DATA

Fax Number: (314)253-5978

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

OP \$240.00 1530509

Phone: 314-683-2469
Email: connie.wooten@spectrumbrands.com
Correspondent Name: Connie Wooten
Address Line 1: 2150 Schuetz Rd.
Address Line 4: St. Louis, MISSOURI 63146

NAME OF SUBMITTER:	ConnieWooten
Signature:	/connie wooten/
Date:	11/03/2005

Total Attachments: 3
source=WPC Brands Trademark Assignment#page1.tif
source=WPC Brands Trademark Assignment#page2.tif
source=WPC Brands Trademark Assignment#page3.tif

TRADEMARK ASSIGNMENT

WHEREAS, WPC Brands, Inc., a corporation organized and existing under the laws of the State of Wisconsin, with offices at 2150 Schuetz Rd., St. Louis, Missouri 63146 ("Assignor"), is the owner of certain trademark registrations, sometimes hereinafter referred to collectively as "the Marks" and identified in Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, United Industries Corporation, a corporation organized and existing under the laws of the State of Delaware, with offices at 2150 Schuetz Rd., St. Louis, Missouri 63146 ("Assignee"), desires to acquire the Marks.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby sells, assigns, transfers and conveys *nunc pro tunc* to Assignee, its successors and assigns, absolutely and forever, the entire right, title and interest, whether statutory or at common law, in and to the Marks, together with the goodwill of the business symbolized by them throughout the world and such other trademarks, service marks, trade names and trade dress as may be owned by Assignor and used in connection with the Marks in the United States, its territories and possessions, and in any of the states of the United States, together with all causes of action for any and all previously occurring infringements of the rights being assigned and the right to receive and retain the proceeds relating to those infringements as of October 1, 2005.

The Director of the United States Patent and Trademark Office is requested to issue the Certificates of Registration for the Marks to the Assignee.

Assignee hereby acknowledges and agrees to the continuing existence and validity of the security interests in the Marks in favor of Bank of America, N.A., as collateral agent pursuant to that certain Security Agreement dated February 7, 2005, among Spectrum Bands, Inc. (then known as Rayovac Corporation), the other Grantors thereunder and Bank of America, N.A., as collateral agent

WPC BRANDS, INC.



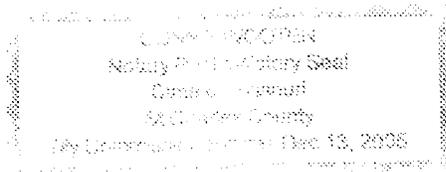
Thomas M. Parker
Chief Intellectual Property Counsel

Date Signed: November 3, 2005

State of Missouri)
) ss:
County of St. Louis)

On this 3rd day of November 2005, before me personally came Thomas M. Parker, to me known, who being by me duly sworn, did depose and say that he is Chief Intellectual Property Counsel

of WPC Brands, Inc., the corporation described in and which executed the foregoing instrument, and that he had the authority to sign his name hereto on behalf of the corporation.



Connie Wooten

Connie Wooten, Notary Public
My Commission Expires:
December 13, 2005

Signed for and on behalf of United Industries Corporation, a Delaware corporation, on November 3, 2005.

UNITED INDUSTRIES CORPORATION

Thomas M. Parker

Thomas M. Parker
Chief Intellectual Property Counsel

State of Missouri)
) ss:
County of St. Louis)

On this 3rd day of November 2005, before me personally came Thomas M. Parker, to me known, who being by me duly sworn, did depose and say that he is Chief Intellectual Property Counsel of United Industries Corporation, the corporation described in and which executed the foregoing instrument, and that he had the authority to sign his name hereto on behalf of the corporation.



Connie Wooten

Connie Wooten, Notary Public
My Commission Expires:
December 13, 2005

* * * * *

Exhibit "A"

Attached to and made a part of that certain Trademark Assignment by and between WPC Brands, Inc., Assignor, and United Industries Corporation, Assignee, signed November 3, 2005, but effective as of October 1, 2005.

Mark	Serial Number	Registration Number
CHLORAZENE	73,732,539	1,530,509
FAMILY FORMULA	74,221,778	1,739,259
FAMILY FORMULA	76,357,882	2,885,602
REPEL	74,727,783	2,131,625
REPEL	73,227,560	1,285,753
SANIZENE	73,832,879	1,604,320
SPORTSMEN FORMULA	76,357,881	2,631,594
SPORTSMEN FORMULA	74,221,777	1,730,436
SUN & BUG STUFF	74,250,370	1,726,983

***** End of Exhibit "A" *****

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	MERGER		
EFFECTIVE DATE:	10/01/2005		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
WPC Brands, Inc.		10/01/2005	CORPORATION:
RECEIVING PARTY DATA			
Name:	United Industries Corporation		
Street Address:	1 Rider Trail Plaza		
City:	Earth City		
State/Country:	MISSOURI		
Postal Code:	63045		
Entity Type:	CORPORATION: DELAWARE		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Registration Number:	1285753	REPEL	
CORRESPONDENCE DATA			
Fax Number:	(314)801-2950		
Phone:	314-683-2469		
Email:	connie.wooten@spectrumbrands.com		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i>			
Correspondent Name:	Connie Wooten		
Address Line 1:	1 Rider Trail Plaza		
Address Line 4:	Earth City, MISSOURI 63045		
ATTORNEY DOCKET NUMBER:	REPEL		
NAME OF SUBMITTER:	Connie Wooten		
Signature:	/connie wooten/		
Date:	10/25/2011		
Total Attachments: 1 source=repelwicert#page1.tif			

OP \$40.00 1285753

DOM DIS
180 181 183

United States of America

State of Wisconsin



DEPARTMENT OF FINANCIAL INSTITUTIONS

To All to Whom These Presents Shall Come, Greeting:

I, RAY ALLEN, Deputy Secretary, Department of Financial Institutions, do hereby certify that

WPC BRANDS, INC.

was a domestic corporation or a domestic limited liability company organized under the laws of this state and that its date of incorporation or organization was March 30, 1994.

I further certify that Articles of Merger were filed with this department effective October 1, 2005, merging WPC BRANDS, INC. (non-survivor) into UNITED INDUSTRIES CORPORATION (a Delaware corporation)(survivor)



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department on October 4, 2011.

A handwritten signature in black ink, appearing to read "Ray Allen".

RAY ALLEN, Deputy Secretary
Department of Financial Institutions

BY: A handwritten signature in black ink, appearing to read "Robert Kous".

Effective July 1, 1996, the Department of Financial Institutions assumed the functions previously performed by the Corporations Division of the Secretary of State and is the successor custodian of corporate records formerly held by the Secretary of State.