RENEWAL

NO.	MARK	SER. NO.
664278	TRIPLE A etc. + Des.	37767

Registered (date): JUL 15 1958

Type of Mark:

Examiner: 12 Burns

Class	Filed Complete	Serial No.
12	SEP. 25, 1957	37,767

PRINCIPAL REGISTER [X]

Amended

SUPPLEMENTAL REGISTER [ ]

Applicant and Post Office

ATLANTIC ASPHALT & ASBESTOS, INC.,
359 LONGBROOK AVE.,
STRATFORD, CONN. DEL. CORP.
Tilco Company, Inc. Del. Corp.
Stratford, Conn.

Assignor to

Goods—Services

PLAINTIFF'S EXHIBIT
RMC-297

Mark
TRIPLE A ETC. & DES.
9831

Send Correspondence to
EMERY, WHITTEMORE, SANDOE & ~~DIX~~ Graham,
60 E. 42ND ST.,
NEW YORK 17, N. Y.

Passed for Publication
J A Sterba
APR 2 1958

Parts Filed
Application
Verification
Specimens
Drawings
Fee 30.00
AUG 30 1978

Passed for Registration
J A Sterba
JUN 16 1958

Representative

Attorney
~~EMERY, WHITTEMORE, SANDOE & DIX,~~ Graham

AFFIDAVIT
Sec. 8 P H Moore
Sec. 15 P H Moore
Sec. 12c 1. C. 19

Associate Attorney

Claims Ownership of Registration
NO. 444,233.

First Use JAN. 2, 1953

In Commerce JAN. 2, 1953

Passed for Renewal H J Nelson

Renewed From July 15, 1978

Goods—Services
For ASPHALT ROOFING AND SIDING, ASBESTOS-CEMENT SIDING, ASPHALT SATURATED FELT ROOFING AND INSULATION, ASPHALT MINERAL SURFACE ROLLS, AND ASPHALT STARTER ROLLS USED IN BUILDING CONSTRUCTION AND REPAIR,
ok

Other Data Applicant disclaims the words "ROOFING + SIDING" apart from the mark as shown.

PUBLISHED IN O. G.
APR 29 1958
U.S. PATENT OFFICE

NOV 28 1978

16—51551-6 U. S. GOVERNMENT

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37767

CLASSI CATION

72037767

FILING DATE 09/25/1957

REGISTRATION # 664278

12

CONTENTS:

Application 7 *papers.* ✓

1. N OF F APR 7 1958
2. COMB. AFF. SEC 8 & 15 JUL 9 1964
3. Rev. Pet. Aug. 30, 1978
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ASST. COMMR. FOR TRADEMARKS

Registrant	:	AmeriMark Building Products, Inc.
Registration No.	:	664,278
Registration Date	:	July 15, 1958
Mark	:	TRIPLE A ROOFING & SIDING & Design

1997 MAY 27 P 1:41

U.S. PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Trademarks
U.S. Patent and Trademark Office
2900 Crystal Drive
Arlington, Virginia 22202-3513

SUBSTITUTE POWER OF ATTORNEY AT LAW

Sir:

Applicant acquired all rights, title and interest in the above registration by Assignment dated March 17, 1997. A copy of the Assignment was filed with the United States Patent and Trademark Office Assignments Branch on April 4, 1997, for recordal.

Applicant hereby appoints:

M. Christopher Bolen, Sarah Anne Keefe and Donna Ray Chmura
Womble Carlyle Sandridge & Rice
A Professional Limited Liability Company
Post Office Box 831
2100 First Union Capitol Center
150 Fayetteville Street Mall
Raleigh, North Carolina 27602
(919) 755-2100

to transact all business in the Patent and Trademark Office in connection with the above registration.

In addition, the Applicant hereby withdraws all previous Powers of Attorney at Law on file with the Patent and Trademark Office with respect to the above-identified mark.

James R. Smith, Vice President and Chief Financial Officer of Registrant, being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 101, that such willful false statements may jeopardize the validity of the registration, declares that he is properly authorized to execute this Power of Attorney on behalf of Registrant.

Signed this 27th day of May, 1997.

AMERIMARK BUILDING PRODUCTS, INC.

By: _____
James R. Smith,
Vice President and Chief Financial Officer

R#0216862.01

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FORM PO-685
(8-22-61)

U.S. DEPARTMENT OF COMMERCE
PATENT OFFICE

REG. NO. 664,278
SER. NO.

ASSIGNMENTS

☑ No previous assignments of record as of 12-26-76

☐ See Title Record for ownership information prior to this record

Serial No.	Filing Date	Reel	Frame	Registration Date	Reg. No.
		299	753	July 15, 1958	664,278
Date	Ack. Dec. 22, 1976	(Trade-Mark)		Date Recorded	Dec. 27, 1976

Registrant: Atlantic Asphalt & Asbestos, Inc.

Assignor: ATLANTIC ASPHALT & ASBESTOS, INC.
355 Longbrook Avenue, Stratford, Conn.
a Del. corp.

Assignee: TILO COMPANY, INC.
347 Longbrook Avenue
Stratford, Conn., a Del. corp.

Brief: Assigns the entire interest and the good will, effective Dec. 31, 1976.

6-19-78
N.L.

Serial No.	Filing Date	Reel	Frame	Registration Date	Reg. No.
		368	645	July 15, 1958	664,278
Date	April 25, 1980	(Trade-Mark)		Date Recorded	May 19, 1980

Registrant: Atlantic Asphalt & Asbestos Inc.

Assignor: ~~TILO COMPANY, INC.~~

Assignee: ~~Reynolds Aluminum Building Products Company~~

Brief: ~~Certified copy of a change of name filed in the~~ Office of the Secretary of State of Delaware on March 28, 1980.

1-23-90
NSM

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United States Patent Office

664,278
Registered July 15, 1958

PRINCIPAL REGISTER
Trademark

Ser. No. 37,767, filed Sept. 25, 1957



Atlantic Asphalt & Asbestos, Inc. (Delaware corporation)
359 Longbrook Ave.
Stratford, Conn.

For: ASPHALT ROOFING AND SIDING, ASBESTOS-CEMENT SIDING, ASPHALT SATURATED FELT ROOFING AND INSULATION, ASPHALT MINERAL SURFACE ROLLS, AND ASPHALT STARTER ROLLS USED IN BUILDING CONSTRUCTION AND REPAIR, in CLASS 12.

First use Jan. 2, 1953; in commerce Jan. 2, 1953.

Applicant disclaims the words "Roofing & Siding" apart from the mark as shown.

Owner of Reg. No. 444,233.

~~COMB. AFF. SEC 8 & 15~~
COMB. AFF. SEC 8 & 15
JUL 9, 1964

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12

37767

APPLICANT: ATLANTIC ASPHALT & ASBESTOS, INC.
359 LONGBROOK AVENUE, STRATFORD, CONN.
DATES OF FIRST USE: JANUARY 2, 1953
GOODS: ASPHALT ROOFING AND SIDING AND ASBESTOS CEMENT SIDING USED IN BUILDING CONSTRUCTION AND REPAIR

A 58

664278
REGISTERED
JUL 15 1958

FILED
SEP 25 1957

TRIPLE A ROOFING & SIDING

PUBLISHED IN O. G.
APR 29 1958
U.S. PATENT OFFICE

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MAIL ROOM
AUG 30 1978
PAT. & TRADEMARK OFF.

25.00 - 202
5.00 - 203 - TM/R
#3
Rex. Pet.

APPLICATION FOR RENEWAL OF TRADEMARK REGISTRATION

Mark: TRIPLE A

Reg. No. 664,278

Class No. 12 (U.S.)

To The COMMISSIONER OF PATENTS AND TRADEMARKS:

Tilo Company, Inc. a corporation of the State of Delaware
Business Address: 347 Longbrook Avenue, Stratford, Connecticut 06497
Situs: 347 Longbrook Avenue, Stratford, Connecticut 06497

The above-identified applicant for renewal (hereinafter referred to as "Registrant") requests that the above-identified registration, granted to Registrant's assignor on July 15, 1958, which Registrant now owns, as shown by records in the Patent and Trademark Office, be renewed in accordance with the provisions of the Trademark Act of 1946, as amended.

The renewal fee is presented herewith.

The undersigned declares that: he is an officer of Registrant; he is authorized to execute this renewal application on behalf of Registrant; Registrant owns Registration No. 664,278; the mark shown therein is in use in interstate commerce on each of the following goods recited in the registration: Asphalt roofing, asbestos-cement siding, asphalt saturated felt roofing, asphalt mineral surface rolls, and asphalt starter rolls used in building construction and repair.

the attached specimens showing the mark as currently used.

Such use is by a related company, Reynolds Aluminum Building Products Company, and inures to the benefit of the applicant corporation, Tilo Company, Inc., both of which are wholly owned by Reynolds Metals Company. The same individual is both President of Reynolds Aluminum Building Products Company and Chairman of the Board of Tilo Company, Inc. Applicant corporation legitimately controls this related company in respect to the nature and quality of the goods in connection with which the mark is used.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the trademark registration or this application.

Registrant hereby appoints John Barry Donohue, a member of the bars of New York, the District of Columbia and Connecticut, inter alia, and Robert C. Lyne, Jr. (Reg. No. 22,736) a member of the bar of the Supreme Court of Appeals of the Commonwealth of Virginia, its attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and requests that all communications concerning the registration or this application be sent to John Barry Donohue, 347 Longbrook Avenue, Stratford, Connecticut 06497.

TILO COMPANY, INC.

By J. E. Barron
J. E. Barron
Title President

Date August 28, 1978

08/06/78 0664278 1 202 25.00CK
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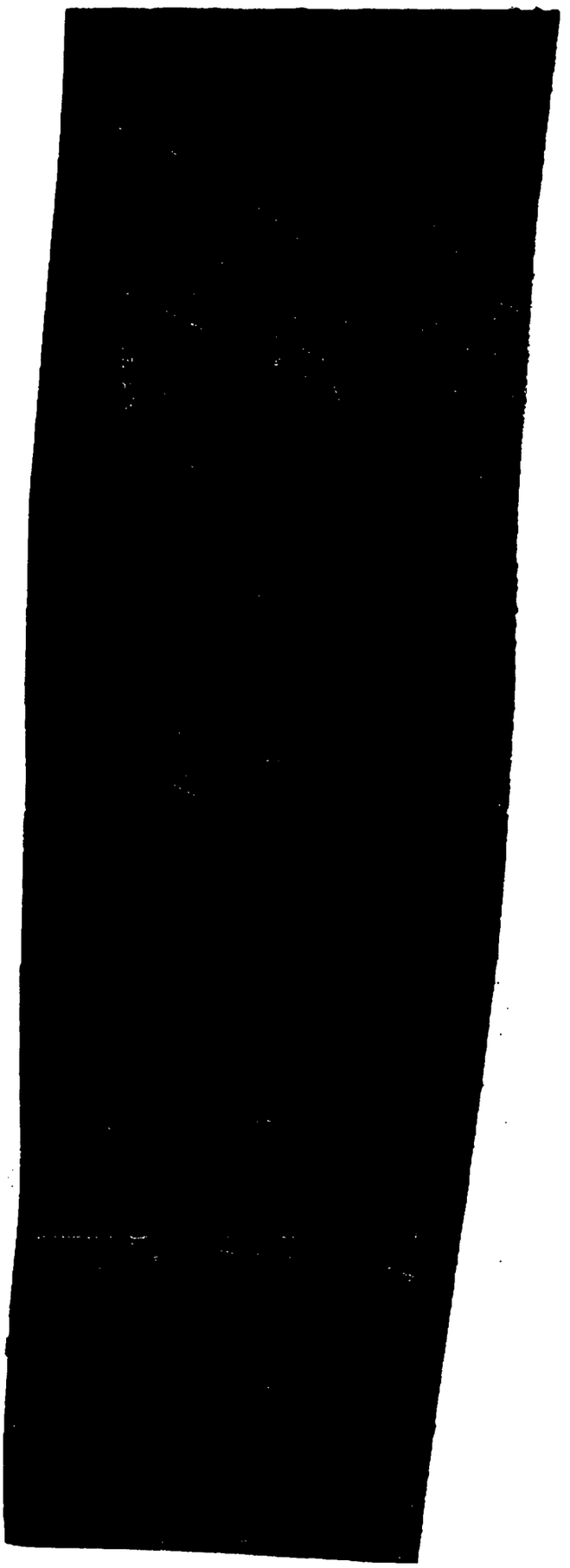

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TILO

TILO COMPANY, INC. STRATFORD, CONNECTICUT
a subsidiary of the Reynolds Metals Company

August 28, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Commissioner of Patents and Trademarks
Washington, D.C. 20231

SUBJECT: Renewal
Reg. No. 664,278
TRIPLE A

Gentlemen:

Enclosed are:

(1) Renewal application

(2) One specimen

(3) Certified check for $30 for renewal application fee.

Very truly yours,

TILO COMPANY, INC.

John Barry Donohue,
Vice President and
General Counsel

JBD:ecm

Enc. 2 + Check No. 086015

P.O. Box 1877·Bridgeport, Connecticut 06601· (203)375·3331

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REGISTRATION NO. 664,278

ISSUED JUL 15 1958

12-C PUB

RECEIPT IS HEREBY ACKNOWLEDGED OF THE AFFIDAVIT FILED

BY ATLANTIC ASPHALT & ASBESTOS, INC.

ON JUL 9 1964

[X] SEC. 8 - AFFIDAVIT ACCEPTED

[X] SEC. 15 - AFFIDAVIT FILED

BY DIRECTION OF THE COMMISSIONER

JUL 23 1964

BIB

DIRECTOR, TRADEMARK EXAMINING OPERATION

FORM POL-136 A
2-60

AFFIDAVIT ACKNOWLEDGMENT

EMERY, WHITTEMORE, SANDOE & GRAHAM
60 E. 42ND ST.
NEW YORK 17 NY

U. S. DEPARTMENT OF COMMERCE - PATENT OFFICE

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#9831

#2

IN THE UNITED STATES PATENT OFFICE

AFFIDAVIT UNDER SECTIONS 8 and 15

Mark: TRIPLE A
Registration No. 664,278
Class No. 12

STATE OF CONNECTICUT)
) ss:
COUNTY OF FAIRFIELD)

HARRY G. MICKELSEN, President of ATLANTIC ASPHALT & ASBESTOS, INC. a corporation of the State of Delaware, located and doing business at 359 Longbrook Ave., Stratford, Connecticut, being sworn, states that the said ATLANTIC ASPHALT & ASBESTOS, INC. owns Registration No. 664,278, issued July 15, 1958, as evidenced by the accompanying title report; that the mark shown therein is still in use as evidenced by the attached specimen showing the mark as currently used, and said deponent further states that the mark shown in said Certificate of Registration has been in continuous use in interstate commerce for more than five consecutive years from July 15, 1958 to the present time on the goods recited in said registration, namely Asphalt Roofing and Siding, Asbestos-cement Siding, Asphalt Saturated Felt Roofing and Insulation, Asphalt Mineral Surface Rolls, and Asphalt Starter Rolls Used in Building Construction and Repair; that said mark is still in use in interstate commerce; that there has been no final decision adverse to registrant's claim of ownership of said mark to its right to register the same or maintain it on the register, and that there is no proceeding involving any of said rights pending and not disposed of either in the Patent Office or in the courts.

The undersigned as President of the aforesaid corporation hereby appoints Emery, Whittemore, Sandoe & Graham of 60 East 42nd Street, New York 17, N. Y., a firm consisting of Nichol M. Sandoe,

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Charles W. Neill, George J. Schottler, Thomas B. Graham and Hugo M. Wikstrom, each a member of the bar of the State of New York, to file this affidavit, with full power of substitution and revocation, and to transact all business in the Patent Office in connection therewith.

Harry G. Mickelsen
President, Atlantic Asphalt & Asbestos, Inc

Subscribed and sworn to before me
this 2nd day of July, 1964.

Notary Public.

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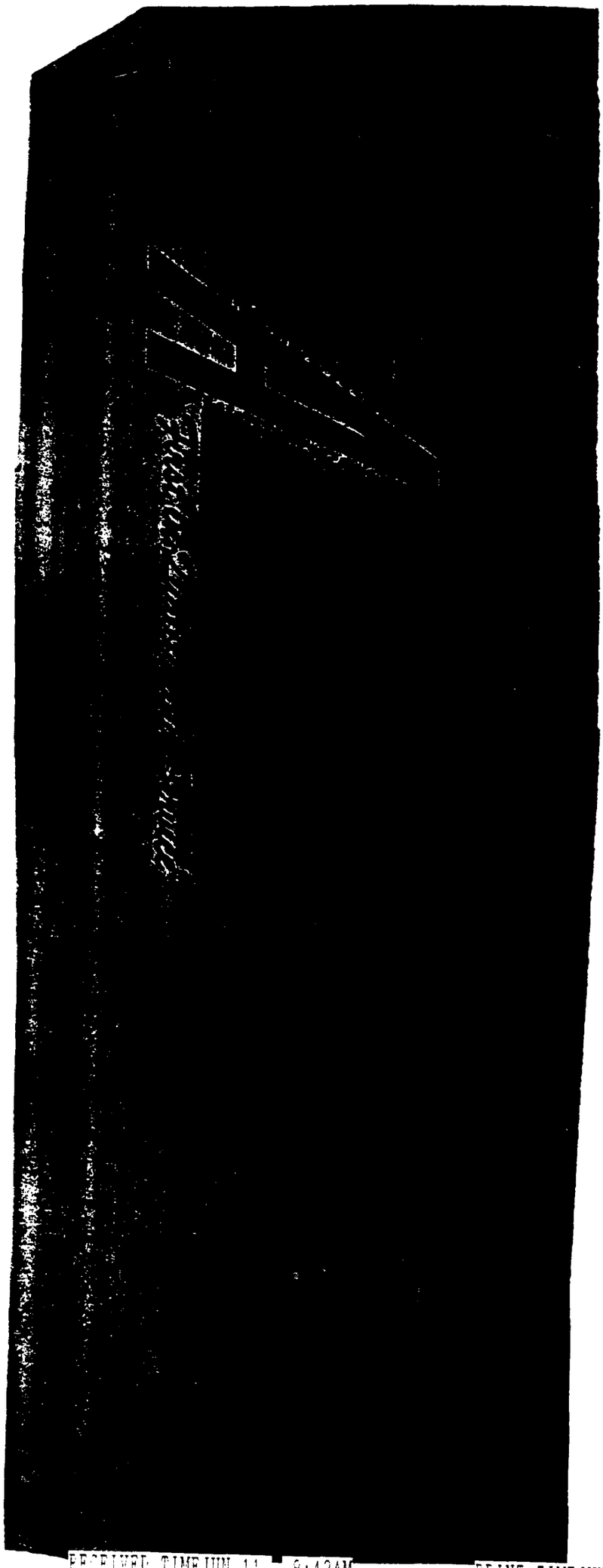

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100.435-TM/D.

EMERY, WHITTEMORE, SANDOE & GRAHAM

LINCOLN BUILDING, 60 EAST 42d STREET

NEW YORK 17, N. Y.

TELEPHONE
MURRAY HILL 2-0484
CABLE

TITLE REPORT
$1.00 CASH
APPLIED

July 7, 1964.

Hon. Commissioner of Patents,

Washington, D. C.

Sir:-

On behalf of Atlantic Asphalt & Asbestos, Inc. we enclose herewith combined Affidavit under Sections 8 and 15 of the Act of 1946 with respect to the following trade-mark registration owned of record by said corporation:

Mark	No.	Date
TRIPLE A	664,278	July 15, 1958

Please procure and file the necessary title report. Our check for $1. is enclosed to cover the fee for said title report.

Respectfully,

EMERY, WHITTEMORE, SANDOE & GRAHAM.

By Nichol M. Sandoe
Nichol M. Sandoe

NMS:FM
Encl.

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POL-152

PAPER NO.

All communications respecting this registration should give the registration number and date of registration.

ADDRESS ONLY
THE COMMISSIONER OF PATENTS
TRADEMARK EXAMINING OPERATION
WASHINGTON, D.C. 20231

MTN

U. S. DEPARTMENT OF COMMERCE
PATENT OFFICE
WASHINGTON

ATLANTIC ASPHALT &
ABESTOS, INC.
339 LONGBROOK AVENUE
STRATFORD, CONNECTICUT

Att.: Legal Counsel

MAILED: MAY 15, 1964

Reg. No.: 664,278

Dated: JULY 15, 1958

Sec. 12 (c) pub.:

Mark: TRIPLE A ROOFING & SIDING & DES.

NOTICE

Notice is hereby given that the above-identified registration will be canceled by the Commissioner at the end of the sixth year following the date of registration or publication under section 12 (c), as the case may be, unless the owner files in the Patent Office the affidavit of use or excusable nonuse required by section 8 of the Trademark Act of 1946.

The affidavit, which must be sworn to before a notary, should contain facts showing that the mark is still in use, such as, the annual sales volume under the mark, or other appropriate statements supported by specimen labels showing the mark as used, or if the mark is not actually being used, the affidavit should recite facts to show that the nonuse is excusable and not due to any intention to abandon the mark.

There also must be submitted *$1.00* for a title report for Office use.

If the affidavit has been filed, please disregard this notice.

(Office copy to be signed if affidavit is not filed within sixth year.)

Affidavits Section.
L. McClaren

CANCELED

Date:

By direction of the Commissioner.

Director, Trademark Examining Operation.

U.S. GOVERNMENT PRINTING OFFICE: 1964—O-718-862

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POL-47

ADDRESS ONLY
THE COMMISSIONER OF PATENTS
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WASHINGTON 25, D. C.

PAPER No. 1

All communications respecting this application should give the serial number, date of filing, and name of the applicant.

rh

U. S. DEPARTMENT OF COMMERCE
PATENT OFFICE
WASHINGTON

Mailed April 7, 1958

Ser. No.: 37,767

Applicant: Atlantic Asphalt & Asbestos, Inc.

Publication Date: April 29, 1958

TRIPLE A ETC. & DES.

EMERY, WHITTEMORE, SANDOE
& DIX
60 E 42ND STREET
NEW YORK 17, NEW YORK

NOTICE OF PUBLICATION UNDER SECTION 12 (a)

The application identified above has been examined and it appearing that applicant is entitled to Registration, the mark will in accordance with Section 12 (a) of the Trademark Act of 1946, be published in the Official Gazette on the date indicated above for the purpose of opposition by any person who believes he will be damaged by the registration of the mark. If no notice of opposition is filed within the time specified by Section 13 of the statute, or by Rules 2.101 and 2.102 of the Trademark Rules, the Commissioner of Patents may issue a Certificate of Registration.

Copies of the Trademark portion of the Official Gazette containing the publication of the mark may be obtained at 20 cents each from the Superintendent of Documents, Government Printing Office.

By direction of the Commissioner.

SGD. J. H. MERCHANT

Director, Trademark
Examining Operation.

GPO 421692

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SEP 25 1957
PATENT OFFICE

#9831

SEP-25-57 279 285 A47CK --- 201- 25.00

IN THE UNITED STATES PATENT OFFICE

APPLICATION FOR TRADE-MARK REGISTRATION

PRINCIPAL REGISTER

37767

Mark: "TRIPLE A"

Class 12 - Construction materials

TO THE COMMISSIONER OF PATENTS:

Corporate Name: Atlantic Asphalt & Asbestos, Inc., a Delaware corporation

Business address: 359 Longbrook Ave., Stratford, Conn.

Situs: 100 West 10th Street, Wilmington, Delaware.

The above-identified applicant has adopted and is using the trade-mark shown in the accompanying drawing for asphalt roofing and siding, asbestos-cement siding, asphalt saturated felt roofing and insulation, asphalt mineral surface rolls, and asphalt starter rolls used in building construction and repair and requests that said mark be registered in the United States Patent Office on the Principal Register established by the Act of July 5, 1946.

The trade-mark was first used on the goods on January 2, 1953; was first used in interstate commerce on January 2, 1953; and is now in use in such commerce.

The mark is used by applying it to printed tags or labels affixed to the goods or to containers for the goods, and five specimens showing the mark as actually used are presented herewith.

Applicant is the owner of registration No. 444,233, dated September 19, 1950.

Applicant disclaims the words "Roofing & Siding" apart from the mark as shown.

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STATE OF CONNECTICUT)
COUNTY OF FAIRFIELD) ss:

EDWIN S. PETERSEN, being sworn, states: he is Vice President of applicant corporation and is authorized to execute this affidavit on behalf of said corporation; he believes said corporation to be the owner of the mark sought to be registered; to the best of his knowledge and belief no other person, firm, corporation or association has the right to use said mark in commerce, either in the identical form or in such near resemblance thereto as might be calculated to deceive; and the facts set forth in this application are true.

ATLANTIC ASPHALT & ASBESTOS, INC.
By Edwin S Petersen
Edwin S. Petersen
Vice President

Subscribed and sworn to before me this 12th day of September, 1957.

Notary Public.

POWER OF ATTORNEY

Applicant hereby appoints Emery, Whittemore, Sandoe & Dix of 60 East 42nd Street, New York 17, N. Y., a firm consisting of Manvel Whittemore, Nichol M. Sandoe, Charles W. Neill and George J. Schottler, each a member of the bar of the State of New York, to prosecute this application to register, to transact all business in connection therewith, and to receive the certificate of registration.

ATLANTIC ASPHALT & ASBESTOS, INC.
By Edwin S Petersen
Edwin S. Petersen
Vice President

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FREDERICK L. EMERY
593-1933
JULIUS E. VARNEY
1901-1955

EMERY, WHITTEMORE, SANDOE & DIX
LINCOLN BUILDING, 60 EAST 42d STREET
NEW YORK 17, N. Y.

TELEPHONE
MURRAY HILL 2-0484
CABLE
EMVAWD

SEP 25 1957

September 23, 1957

Hon. Commissioner of Patents,

Washington, D. C.

Sir:-

We transmit herewith application of Atlantic Asphalt & Asbestos, Inc. for registration of the trade-mark TRIPLE A, including Statement, Declaration, Power of Attorney, drawing and five specimens of the mark, together with a check for $25. in payment of the Government filing fee.

Respectfully,

EMERY, WHITTEMORE, SANDOE & DIX.

By Nichol M. Sandoe
Nichol M. Sandoe
Attorneys for Applicant.

NMS:FM
Encl.

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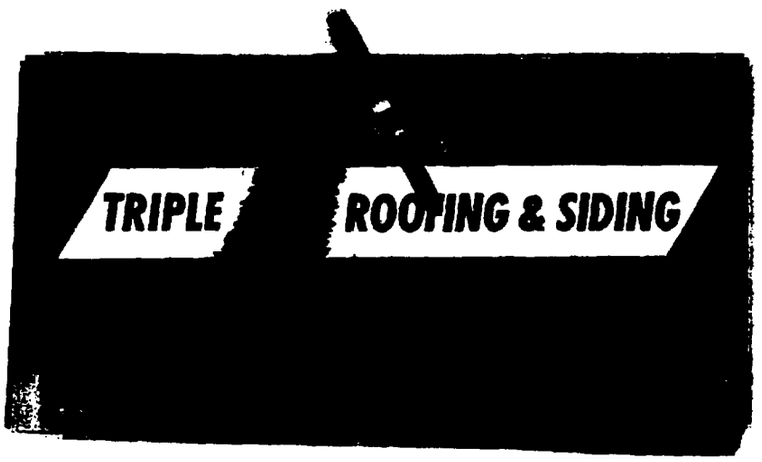

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Fax phone: (301) 215-6004

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Trademark File Wrapper for 664,278

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