

PLAINTIFF'S
EXHIBIT
USG-482



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME;

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

December 14, 2000

TO CERTIFY THAT A NEXED IS A TRUE COPY FROM THE
S OF THIS OFFICE OF THE TRADEMARK FILE WRAP ER AND
TS OF:

MARK APPLICATION: 72/204,423

NO TE: October 20, 1964

ISTION NUMBER: 802,538

ISTION DATE: January 25, 1966

By Authority of the
COMMISSIONER OF PATENTS AND TRADEMARKS

H. Phillips
H. PHILLIPS
Certifying Officer

RENEWAL

MARK

DURABOND

SER. NO.

204423

Registered (date)

JAN 25 1966

Type of Mark

Examiner

12

PRINCIPAL REGISTER

Class

Filed Complete

Serial No.

12

OCT. 20, 1964

204,423

Applicant and Post Office

UNITED STATES GYPSUM COMPANY, ILL. CORP.
101 S. WACKER DRIVE.
CHICAGO, ILL.

United States Gypsum
Company Del. Corp.
Chicago, Ill.

- ☐ Assignee of
☐ By change of name from

Amended

Parts Filed

Application
Verification
Specimens
Drawings
Fee \$3.00 JAN 6 1985

Goods—Services

SUPERVISORY
EXAMINER

EXAMINER

Mark

DURABOND
CLASS 15 REASSIGNED TO CLASS 12

Kenneth E. Roberts
USG Corporation
101 South Wacker Drive
Chicago, Ill 60606

Attorney

JOHN KENNETH WISE

Associate Attorney

Other Data

Claims Ownership of Registration

NOS. 409,656, 597,270, and OTHERS

Goods—Services

~~FINISHING MATERIALS FOR WALLBOARD JOINTS~~

Joint Compound for concealing and
reinforcing joints in wallboard.

OK

First Use

DEC. 3, 1962

In Commerce

DEC. 3, 1962

Passed for Publication

C. Burns

Passed for Registration

C. Burns

A
F
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Sec. 8

Sec. 15

Sec. 12c

Passed for Renewal

J. A. Davis

Renewed From

Jan 25, 1986

Int. Q. 19

PUBLISHED IN O. G.

NOV 9 1965

U. S. Patent Office

APR 29 1986



UNITED STATES GYPSUM COMPANY

01 SOUTH WACKER DRIVE

CHICAGO • ILLINOIS 60606



OCT 19 1964

Hon. Commissioner of Patents

Washington 25, D. C.

Dear Sir:

Enclosed is an application for registration of the trademark DURABOND, for Finishing Materials for Wallboard Joints. The specimen labels comprise five examples cut from the side panels of the bags for each of two products and, in addition, an example for each product showing all the printed matter appearing on the bag as now used. A check for \$25.00 to cover the cost of the filing fee is also attached.

Respectfully,

UNITED STATES GYPSUM COMPANY

By John Kenneth Wise
John Kenneth Wise
Attorney for Applicant

JKW/fg



2500 201 T

204423

APPLICATION FOR REGISTRATION OF A TRADEMARK

Mark DURABOND

Class No. 16 ¹² OCT 19 1964

OCT-22-64 44691 B 211-11

To the Commissioner of Patents:

UNITED STATES GYPSUM COMPANY, a corporation of Illinois

Post Office Address - 101 So. Wacker Drive, Chicago, Illinois 60606

Principal Place of Business - 101 So. Wacker Drive, Chicago, Illinois 60606

Sub. B' The above identified applicant has adopted and is using the trademark shown in the accompanying drawing for ^{B'}

~~Finishing Materials for Wallboard Joints~~

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 trademark was first used on the goods on December 3, 1962, and first used in interstate commerce on December 3, 1962, and is now in use in such commerce.

The mark is used by applying it by stenciling or otherwise imprinting it on the packages for the goods or by means of labels or wrappers, or in other manners customary in the trade, and ten specimens showing the mark as actually used are presented herewith.

Applicant is the owner of the following previously registered marks:

DUR-A-BEAD Registration No. 613,759 granted October 11, 1955

na

✓ DURABOND	"	"	409,656	"	"	17, 1944 <i>At 16 days!</i>
DURACAL	"	"	336,242	"	"	June 30, 1936
DURA-DRI	"	"	639,563	"	"	January 8, 1957
DURA-STOP	"	"	651,060	"	"	September 6, 1957
DURAVAL	"	"	597,270	"	"	October 26, 1954

1

State of Illinois }
County of Cook } ss.

Graham J. Morgan, being sworn, states that he is the 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.

UNITED STATES GYPSUM COMPANY

By Graham J. Morgan
President

Subscribed and sworn to before me this 15th day of October,
1963.

Sybil Strucklin
Notary Public

My Commission Expires November 15, 1967

Applicant hereby appoints John Kenneth Wise, c/o United States Gypsum Company, 101 So. Wacker Drive, Chicago, Illinois 60606, member of the bar of the State of Illinois, to prosecute this application to register, to transact all business in the Patent Office in connection therewith, and to receive the certificate of registration.

UNITED STATES GYPSUM COMPANY

By Graham J. Morgan
President

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DURABOND

JOINT COMPOUND

DURABOND

TOPPING COAT

U.S. PAT.

25

LBS. NET WT.

USG[®]
DURABOND
TOPPING
COAT

UNITED STATES GYPSUM
THE GREATEST NAME IN BUILDING

25
LBS. NET WT.

DURABOND TOPPING COAT



FREIGHT SHIPPING BAG
MEETING REQUIREMENTS OF
CONSOLIDATED FREIGHT CLASSIFICATION
THIS BAG GUARANTEED BY
UNITED STATES GYPSUM CO.

**LESS WASTE—WET MIX MAY BE
HELD SEVERAL DAYS • GOOD
BONDING STRENGTH • NON-IRRI-
TATING • NO ALKALI BURNING OF
PAINT • EASY WORKING • EASY
SANDING.**

DIRECTIONS FOR USE

DURABOND Topping Coat is a vinyl finishing compound designed to be used as a final coat or skim coat over **DURABOND Joint Compound** as part of the one-day joint finishing system.

MIXING OF DURABOND TOPPING COAT

Mix compound in a clean metal container using approximately 14 or 15 pints of clean lukewarm water per 25 pounds of compound. Add the powdered compound to the water and stir vigorously until all the powder is uniformly damp.

The compound will normally be ready for use immediately after mixing. If cold mixing water is used it is desirable to let the mixed compound stand for about 15 minutes to obtain a stable viscosity. The compound is then ready for use after remixing.

CAUTION: Excessive thinning of compound may result in poor bond and excessive shrinkage. It is recommended that for Ames tools no more than 17 pints of water be used per 25 lbs. of compound.

NOTE: Care should be taken to protect from freezing until after the applied compound has dried. Consistency of the mix may be adjusted, if necessary, by adding small amounts of water or compound. Do not intermix **DURABOND Topping Coat** with any other material.

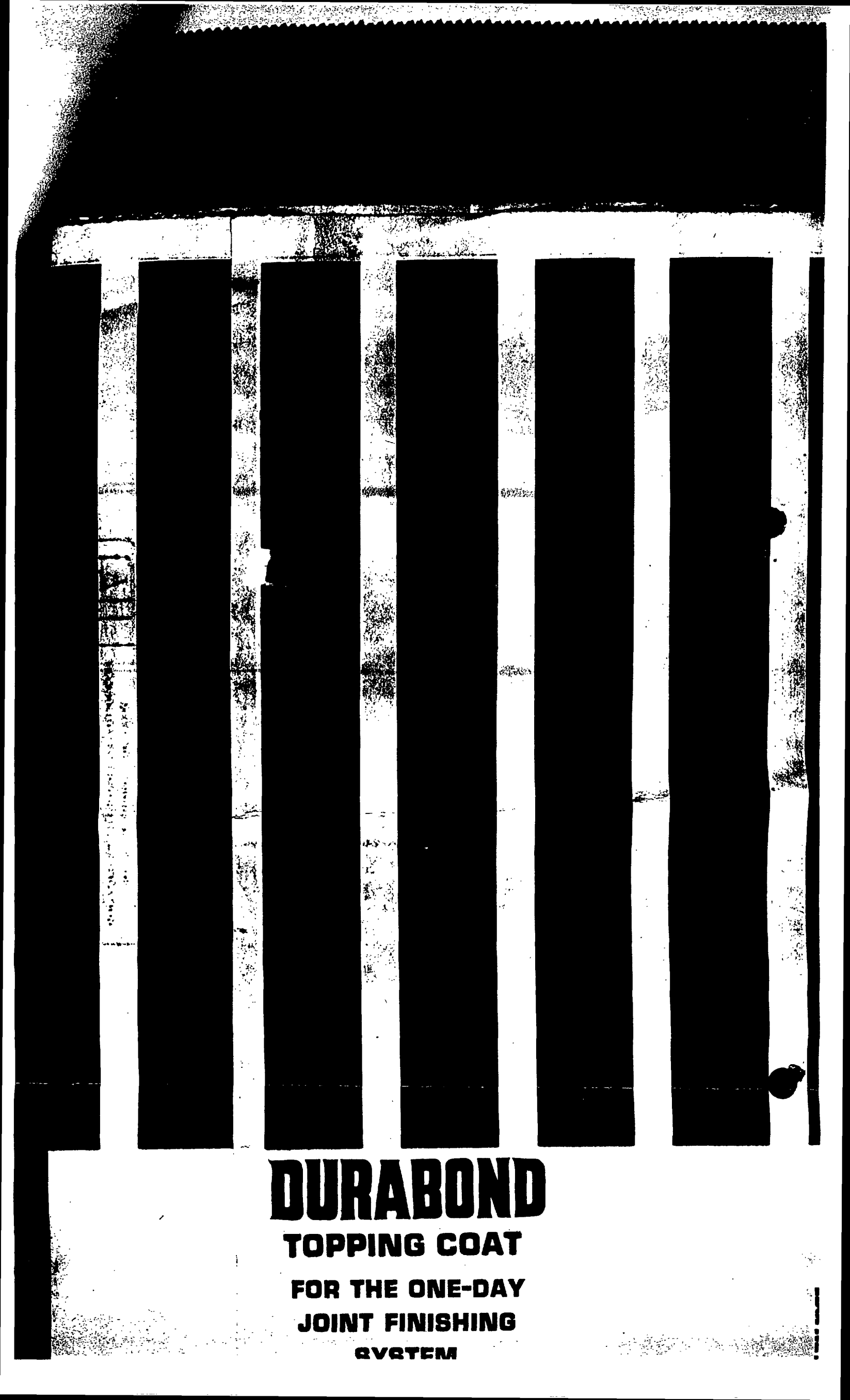
APPLICATION

During cold weather application, provide heat to maintain 55° F. minimum temperature until house is occupied. The finish coat of **DURABOND Topping Coat** must be thoroughly dry before decoration is begun. Best results are obtained by applying compound with steel Joint Finishing tools.

Since methods and conditions of application and use are beyond our control, the United States Gypsum Company will not be responsible for failure of its products when not used according to directions and specifications.

UNITED STATES GYPSUM
CHICAGO 6, ILLINOIS

*T-780-C, USG, 5/64



DURABOND

TOPPING COAT

**FOR THE ONE-DAY
JOINT FINISHING**

SYSTEM

FOR ONE-DAY
JOINT FINISHING



A PERF-A-TAPE* PRODUCT MANUFACTURED BY

UNITED STATES GYPSUM

THE GREATEST NAME IN BUILDING

*T.M. Reg. U.S. Pat. Off.

DURABOND

25 LBS.



NET WT.

DURABOND

JOINT COMPOUND

DURABOND

JOINT COMPOUND FOR ONE-DAY JOINT FINISHING FOLLOW DIRECTIONS DURABOND ONE DAY JOINT SYSTEM COMPOUND For Professional Dry Wall Applicator Use

DIRECTIONS FOR USE

For concealing and reinforcing joints in Sheetrock® and other gypsum wallboards and for concealing the nails and/or screws used in the application.

Durabond Compound is a specially formulated material that chemically hardens in 3 to 5 hours. It is designed to be used with Per-A-Tape® Reinforcement and Per-A-Tape All Purpose Ready Mixed Compound as part of a one day joint finishing system for gypsum board walls and ceilings. Durabond One Day Joint System permits quick decoration; usually can be decorated the day following application, providing it is dry.

Durabond is used to embed Per-A-Tape Reinforcement, for first fill coat or topping coat and for concealing nail heads; also, to be used directly over Dur-A-Bead® Metal Corner Reinforcement or for the application of Per-A-Bead® Corner Reinforcement. Per-A-Tape All Purpose Ready Mixed Compound is, in all cases, to be used for the final finishing coat to completely cover the Durabond Compound.

MIXING OF DURABOND COMPOUND

Mix in a clean 5 gallon metal container. Sift the powder into clean tap water using quantities shown below. Mix until all the powder is uniformly smooth. The mixture is then ready for immediate use.

Recommended water quantities per 25 pounds of Durabond—

1. Hand Tool Application—13 to 14 pints.
2. Mechanical Taping Devices—17 to 18 pints.
3. Mechanical Finishing Devices—15 to 16 pints.

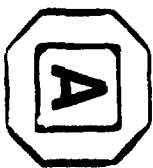
IMPORTANT

1. The quantity of Durabond to be mixed should never exceed that which can be used within the 3-hour period which immediately follows the mixing.
2. It is essential that mixing times of Durabond be staggered so that all applications will have hardened to allow application of the finish coat of the Ready Mixed Compound.
3. During initial mixing the consistency of the mix may be adjusted by adding dry Durabond. After initial mixing do not retemper the mixture with the dry powder. Do not intermix Durabond Compounds which were mixed at different times. Do not intermix Durabond with any other materials. Avoid contamination of Durabond with the Ready Mixed Compound.
4. Water dilution shall not exceed 20 pints per 25 pounds of powder compound.

APPLICATION

Hand Tool Procedure—Work One Room at a Time

1. Spot nail heads.
2. Embed tape on all joints, angles and Per-A-Bead Corner Reinforcement. First coat all Dur-A-Bead Metal Corner Reinforcement.
3. Immediately apply first fill or topping coat of Durabond over all flat joints (not interior angles). The second coat application is to be applied over the first coat application even though it is still wet.
4. Apply second coat over nail heads. For best results use material



FREIGHT SHIPPING BAG
MEETING REQUIREMENTS OF
CONSOLIDATED FREIGHT CLASSIFICATION
THIS BAG GUARANTEED BY
UNITED STATES GYPSUM CO.

204423

12

Applicant	United States Gypsum Company
Address	101 So. Wacker Drive, Chicago, Illinois 60606
First Use	December 3, 1962 In Commerce December 3, 1962
Goods	Finishing Materials for Wallboard Joints

DURABOND

58



802538
REGISTERED

JAN 25 1966
PUBLISHED IN O. G.

NOV 9 1965

U. S. PATENT OFFICE

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to be applied over the first coat application even though it is still wet.

4. Apply second coat over nail heads. For best results use material which had been mixed 2½ hours before application.
5. Repeat Steps 1 through 4 for each additional room.
6. Steps 1 through 6 should be scheduled for completion with Durasone by the noon-hour break if the house is to be completed the same day. Once the Durasone has hardened, however, it may be recoated with Durasone or Ready Mixed Compound, at any time.
7. Apply finish coat or final topping coat of **FIN-A-TAP** All Purpose Ready Mixed Compound over all joints, nails, corner beads and interior angles using a hand corner finishing tool designed for this purpose. Durasone applications must be completely hardened before the finish coat of Ready Mixed Compound is applied. Durasone should be completely covered by the Ready Mixed Compound finishing coat.

MECHANICAL TOOL PROCEDURE—Work Entire House

Durasone Compound can be satisfactorily used in mechanical tools provided tight control is exercised to clean equipment. However, as application techniques using mechanical tools vary to meet conditions, individual jobs must be planned and scheduled in accordance with the hardening time of the compound.

1. Spot nail heads throughout entire house. (Compound mixture is to be heavy for this application and is to be saved for use on metal bead and second coat on nails.)
2. Mechanically tape all joints (include all angles) in entire house. Both sides of angles are finished with corner finishing tools.
3. Apply Durasone to all **Dur-A-Bead** and use for applying **FIN-A-BEAD**.
4. Immediately apply first fill or topping coat of Durasone with mechanical tools over all flat joints (not angles). This coat is applied even though the first coat is still wet.
5. Apply second coat to all nails. For best results use material which had been mixed 2½ hours before application.
6. After all the Durasone has hardened, apply the finish coat or final topping coat of **FIN-A-TAP** Ready Mixed Compound over all joints, angles, corner bead and nails. Completely cover all Durasone with the Ready Mixed Compound.

CARE OF EQUIPMENT

Equipment to be used with Durasone must be thoroughly clean.

Durasone is a hardening type material requiring that all tools, mixing containers, bread pans, etc., used for its application be thoroughly cleaned before this hardening action occurs. Care of equipment is beyond our control and therefore United States Gypsum cannot assume any responsibility for any loss or damage to equipment.

It is recommended that a conventional garden type hose be available to properly flush and clean the Durasone from equipment. Immersion of equipment in water will not prevent hardening of the Compound.

PAINTING

For best results, use **Texout** Primer-Sealer followed by one or two coats of **Texout** Grand Prize Paint.

STORAGE

Store Durasone Joint Compound in dry areas. Rotate stocks.

GENERAL

Care should be taken to protect all applied Compounds from freezing until dry. During cold weather application provide thermostatically controlled heat to maintain 55° F. minimum temperature until house or structure is occupied.

Since methods and conditions of application and use are beyond our control, the UNITED STATES GYPSUM COMPANY will not be responsible for failure of its products when not used according to our directions and specifications.

©T.M. Reg. U.S. Pat. Off.

T-700, USG, 5/60

Printed in U.S.A.

UNITED STATES GYPSUM
THE GREATEST NAME IN BUILDING

COMPOUND

ADDRESS ONLY
THE COMMISSIONER OF PATENTS
TRADEMARK EXAMINING OPERATION
WASHINGTON, D.C. 20531

U. S. DEPARTMENT OF COMMERCE
PATENT OFFICE
WASHINGTON

PAPER No. 1

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

John Kenneth Wise
c/o United States Gypsum
Co.
101 S. Wacker Drive
Chicago, Ill., 60606

Mailed

APR 1 1965

Ser. No.: 204,423

Applicant: United States Gypsum
Company

Applicant is informed that the particular finishing materials must be named in the application. For example:
a (name material composition of) powder to be mixed with water for use on wallboard as a filler and joint sealing compound.

An amendment may be filed.

A search of the Office records fails to show that the mark, when applied to applicant's goods, is confusingly similar to any registered mark.

(DURABOND)
CCBurns:mm-WO 7-2875

C. C. Burns
EXAMINER, DIV. I

A proper response to this Office action must be received within 6 months from the date of this action in order to avoid ABANDONMENT.



#2

IN THE UNITED STATES PATENT OFFICE

APPLICATION OF: UNITED STATES GYPSUM COMPANY

FOR: TRADEMARK DURABOND

SERIAL NO.: 204,423

FILED: OCTOBER 20, 1964

APR 22 1965

RESPONSE

To the Commissioner of Patents:

This is in response to the Office Action mailed April 1, 1965.

Please amend the application as follows: In the list of Applicant's previously registered marks, correct DURI-DRI to read:

-- DURA-DRI --.

Remarks:

The above amendment is made to correct the typographical error appearing in the application.

Referring now to the first paragraph of the communication mailed April 1, 1965 wherein the Examiner requested that the materials be named, it is submitted that a more particular description of the goods is not appropriate. As indicated by the specimen labels presented with the application, the mark DURABOND is used on topping coat and joint compound.

These are powdered materials of complex composition having ten or more ingredients. Certain materials are common to both, but these comprise only about 10% of the total composition of each.

DURABOND Joint Compound is a settable material which hardens by chemically combining with water to give a hard dense joint-filling material. DURABOND Topping Coat, is a drying type material which hardens by evaporation of the moisture and produces a fine textured, easy sanding surface finish. The recommended manner of use for each compound and the distinctions between them are more thoroughly pointed out in bulletin No. T-606, "How to Get Best Results with DURABOND Joint System", duplicate copies of which are enclosed.

APR 22 1965

In addition to the foregoing Joint Finishing Materials, the applicant is now marketing a ready mixed paste type compound, and in the future this type product may be offered under the DURABOND mark.

In view of the foregoing explanation, it is believed that no amendment to the description of the goods is desirable and that the application is now ready to pass to publication.

Respectfully submitted,

A handwritten signature in cursive script, reading "John Kenneth Wise", followed by a checkmark.

John Kenneth Wise
Attorney for Applicant

APR 22 1985

HOW TO GET BEST RESULTS
with
DURABOND JOINT SYSTEM

For One Day Joint Finishing



UNITED STATES GYPSUM COMPANY
101 SOUTH WACKER DRIVE • CHICAGO, ILLINOIS 60606

The Greatest Name in Building

QUALITIES OF A GOOD JOINT COMPOUND

When choosing joint compound the over-all qualities of the material must be considered. It is generally recognized that no one compound can give the *maximum* of all desired qualities but rather must have a balance of each quality, yet with no quality completely lacking. Too often the applicator is inclined to think only of the mixing and working characteristics of the compound rather than the end result to be achieved.

A good joint compound should have the following qualities:

Ample Working Time	Maximum Resistance to Edge Cracks
Good Bond	Easy Sanding
Easy Mixing	Controlled Hardening
Minimum Shrinkage	Cohesion to Avoid Droppings
Smooth Working	Non-irritating

No Alkali Burning of Paint

USG* PERF-A-TAPE* JOINT COMPOUND AND USG PERF-A-TAPE FINISHING OR TOPPING COMPOUNDS USED AS SPECIFIED COMBINE ALL OF THESE QUALITIES!

Even though conventional drying-type joint compounds may have all these desirable qualities, they are subject to atmospheric conditions for adequate drying between coats. This is a problem when relative humidity is high and drying is slow. In these instances, drywall jobs are plagued by long delays because the contractor has no control over drying conditions. DURABOND Joint Compound was developed to help overcome this problem. It hardens chemically, even under damp, slow-drying atmospheric conditions. This joint compound can be used to completely finish the joints in a house in one day with proper scheduling. DURABOND Joint Compound not only has all the desirable properties of a good joint compound, but also will chemically harden in three to four hours after it is mixed. This is the drywall applicator's answer to costly delays. He can now schedule and complete jobs without unnecessary delays due to slow drying time.

JOINT TREATMENT RECOMMENDATIONS

Occasionally, during construction, problems arise which are beyond the control of the manufacturer. The drywall applicator can save time, trouble and expense by observing proper precautions and when difficulty arises make a complete and frank appraisal of his work.

MIXING OF DURABOND JOINT COMPOUND—Mix in a clean 5 gallon metal container. Sift the powder into clean tap water using quantities shown below.

	25 LB	32 LB
1. Hand Tool Application	14 to 15 pints	16½ to 17½ pints
2. Mechanical Taping Devices	17 to 18 pints	22 to 23 pints
3. Mechanical Finishing Devices	16 to 17 pints	19 to 20 pints
	Never exceed 18 pints	Never exceed 23 pints

MIXING OF DURABOND TOPPING COAT—Use clean container. Mix clean, lukewarm water (not hot) at the following proportions:

	25 LB	32 LB
1. Hand Tool Application	14 to 15 pints	18 to 19 pints
2. Mechanical Finishing Devices	16 pints	20 pints
	Never exceed 17 pints	Never exceed 21 pints

Stir rather vigorously for several minutes making sure all the compound is uniformly damp. Allow the mix to soak for several minutes in case any batch lumps may be present. Remix the compound, and it is then ready for use. *Do not over-thin the compound with water!* Over-thinned or soupy compound often leads to excessive shrinkage or bond failure. *Do not contaminate the compound with any other materials or with dirty water* (such as used for cleaning tools). This is extremely important!

The quantity of DURABOND Joint Compound to be mixed should never exceed that which can be used within the three hour period following the mix. The compound will harden chemically even under water—do not attempt to hold in the wet mix! During the initial mix the consistency of the compound may be adjusted by adding dry DURABOND Joint Compound. After initial mixing do not retemper the mixture with

dry powder. Do not intermix DURABOND Joint Compounds which were mixed at different times as the hardening time is governed by the earliest mixed compound. Failure to comply may result in fast erratic hardening times of the compound. Do not transfer DURABOND Joint Compound from a bucket that was mixed earlier to a freshly mixed bucket.

If it is desired to complete the joint treatment in a single day, then it is important to stagger the mixing times of DURABOND Joint Compound so that both the embedding coat and the first coat over the tape will have hardened to allow application of the PERF-A-TAPE All Purpose Ready Mixed Compound or DURABOND Topping Coat. These are the *only* compounds recommended for the finish coat over DURABOND Joint Compound. Do not use conventional casein topping compounds for finishing purposes because they are incompatible with DURABOND Joint Compound. DURABOND Joint Compound is not recommended for the finish coat because it is very difficult to sand after it chemically hardens. Also, there may be suction differences between the feathered edges and areas of heavy fill.

HAND TOOL APPLICATION — WORK ONE ROOM AT A TIME

1. Spot nail heads.
2. Embed tape on all joints, angles and PERF-A-BEAD Corner reinforcement. First coat all DUR-A-BEAD Metal Corner Reinforcement.
3. Immediately apply first fill coat of DURABOND Joint Compound over all flat joints, not interior angles. The second coat application is to be applied over the first coat application even though it is still wet.
4. Apply second coat over nail heads. For best results use material which has been mixed 2½ hours before application.
5. Repeat steps 1 through 4 for each additional room.
6. Steps 1 through 5 should be scheduled for completion with DURABOND Joint Compound by the noon-hour break if the house is to be completed the same day. Once the DURABOND Joint Compound has hardened, however, it may be recoated with Ready Mixed Compound or DURABOND Topping Coat at any time.
7. Apply finish coat or final topping coat of PERF-A-TAPE All Purpose Ready Mixed Compound or DURABOND Topping Coat over all joints, nails, corner beads and interior angles using a hand corner finishing tool designed for this purpose. DURABOND Joint Compound applications must be completely hardened before the finish coat of PERF-A-TAPE* All Purpose Ready Mixed Compound or DURABOND Topping Coat is applied. DURABOND Joint Compound should be completely covered by the Ready Mixed Compound or DURABOND Topping Coat.

MECHANICAL TOOL APPLICATION — WORK ENTIRE HOUSE

DURABOND Joint Compound can be satisfactorily used in mechanical tools provided tight control is exercised to clean equipment. However, as application techniques using mechanical tools vary to meet conditions, individual jobs must be planned and scheduled in accordance with the hardening time of the compound.

1. Spot nail heads throughout entire house. Compound mixture is to be heavy for this application and is to be saved for use on metal bead and second coat on nails.
2. Mechanically tape all joints (include all angles) in entire house. Both sides of angles are finished with corner finishing tools.
3. Apply DURABOND Joint Compound to all DUR-A-BEAD and use for applying PERF-A-BEAD.
4. Immediately apply first fill coat of DURABOND Joint Compound with mechanical tools over all flat joints (not angles). This coat is applied even though the first coat is still wet.
5. Apply second coat to all nails. For best results use material which has been mixed 2½ hours before application.
6. After all the DURABOND Joint Compound has hardened, apply the finish coat or final topping coat of PERF-A-TAPE Ready Mixed Compound or DURABOND Topping Coat over all joints, angles, corner bead and nails. Completely cover all DURABOND Joint Compound with PERF-A-TAPE* Ready Mixed Compound or DURABOND Topping Coat.

DURABOND Joint Compound is a versatile material and, if desired, can be used as part of a two day or even a three day system, but it is designed as a one day system, if properly used. This will depend somewhat on the area of SHEETROCK* to be treated, the available manpower and the type of equipment used; that is, either hand or mechanical tools. DURABOND Topping Coat does not "harden" chemically; it is a conventional drying type product. Occasionally, slight "bubbling" may be encountered in areas of heavy fill if there is excessive surface moisture which has not evaporated from the DURABOND Joint Compound, even though the DURABOND Joint Compound has hardened.

Abnormal Drying Conditions—DURABOND Joint Compound will perform at its best under slow drying conditions. It will nevertheless do as good a job as any conventional drying type compound even under warm, dry, fast drying conditions. The main difference is that under conditions where conventional compounds can fail, DURABOND Joint Compound will succeed because the chemical hardening principal is not affected by conditions of high humidity. It is still desirable to maintain the minimum of 55°F temperature, however. During cold weather, warm water is an aid to mixing. Maintain proper ventilation.

Applicators will recognize rapid drying conditions when the compound takes on a shorter working life especially on the feathered edge and where one joint crosses another. Rapid drying is usually due to low humidity and warm winds. During these periods every effort should be made to prolong the working life and drying time of the compound. Stop drafts by closing doors and windows. Raise the humidity by liberally sprinkling subfloors with water and placing open cans of water about the job. *Do not thin joint compound with additional water!*

Care of Equipment—As with other crafts, applicators should keep tools and equipment clean and in good shape to secure maximum benefits.

DURABOND Joint Compound is a hardening type material requiring that all tools, mixing containers, bread pans, etc., used for its application be *thoroughly* cleaned before this hardening action occurs. Care of equipment is beyond our control and, therefore, United States Gypsum cannot assume any responsibility for any loss or damage to equipment.

Particularly when mechanical tools are used it is recommended that a conventional garden hose with nozzle be available to properly flush and clean DURABOND Joint Compound from equipment before the hardening action takes place. *Immersion of equipment in water will not prevent Hardening of the compound.*

***Ames Tools:**

Automatic Taper: (Bazooka)	Remove head plate and thoroughly clean upper plunger area. Use narrow stiff bristle brush to clean head mechanism. Flush tube.
Hand Pump:	Pump water through pump until clean. Remove bottom screen from pump and flush this area of the pump and the screen.
Finishing Boxes:	Release plunger plate to simplify cleaning box.
Other: (Corner Roller— Corner Finisher)	Flush with water until clean.

Painting—Good joint work merits equally good decoration and the wise applicator will recommend paints that enhance the appearance of his finished job. For smooth walls USG specifically developed USG SHEETROCK* SEALER and TEXOLITE* PRIMER-SEALER to lay the nap of face paper raised by sanding. Either will give a satisfactory base coat for TEXOLITE* ALKYD LATEX and other quality interior finishes. USG also manufactures a full line of texturing materials to comply with the preference of every customer and to insure walls and ceiling of outstanding beauty and long durability.

General Provisions—DURABOND Joint Compound, like other powder joint compounds, is affected by aging. Dealers and applicators should rotate stocks of DURABOND Joint Compound and DURABOND Topping Coat and store them in dry places.

Since methods and conditions of application and use are beyond our control, the United States Gypsum Company will not be responsible for failure of its products when not used according to directions and specifications.

U. S. DEPARTMENT OF COMMERCE
PATENT OFFICE
WASHINGTON

PAPER No. 3

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

Mailed MAY 21 1965

John Kenneth Wise
c/o United States Gypsum Co.
101 S. Wacker Drive
Chicago, Ill., 60606

Ser. No.:

204,423

Applicant:

United States
Gypsum Company

This is in response to the amendment filed
April 26, 1962.

Formal amendment to the goods, such as appears
in the Remarks of above date, must be filed. Otherwise,
it may be considered that the goods are proper for another
class of goods.

Suitable amendment will condition the mark for
pre-publication search.

(DURABOND)
CCBurns:jh

WO 7-2875

CCBurns
Examiner, Div. I

A proper response to this Office action must be received within 6 months
from the date of this action in order to avoid ABANDONMENT.

5AV
UNITED STATES GYPSUM COMPANY

101 SOUTH WACKER DRIVE



CHICAGO • ILLINOIS 60606



Commissioner of Patents
Trademark Examining Operation
Washington, D.C. 20231

AUG 4 1965

Dear Sir:

Enclosed is a response in the application Serial No. 204,423 to
register the mark DURABOND in Class 12.

Respectfully

John Kenneth Wise
John Kenneth Wise
Attorney for Applicant

ENK

JKW:LK

4/13

IN THE UNITED STATES PATENT OFFICE

APPLICATION OF:

UNITED STATES GYPSUM COMPANY ✓

FOR:

TRADEMARK DURABOND ✓

AUG 4 1966

SERIAL NO.:

204,423 ✓

FILED:

OCTOBER 20, 1964 ✓

RESPONSE

To the Commissioner of Patents:

This is in response to the Office Action mailed May 21, 1965.

Please amend the application as follows: change the identification of the goods to read

Joint compound for concealing and reinforcing joints in wallboard.

Respectfully submitted,

John Kenneth Wise
John Kenneth Wise,
Attorney for Applicant

Remarks:

Applicant's attorney acknowledges with appreciation the courtesies extended by Examiner Burns at the interview on June 29. At that interview the Examiner indicated that the mark was ready for publication as soon as amended description of the goods was supplied. Several suggestions were considered, and the amended description herewith submitted is the one suggested by the Examiner.

It is believed that this amendment places the case in condition for publication and passage to publication is respectfully requested.

Respectfully submitted,

John Kenneth Wise
John Kenneth Wise,
Attorney for Applicant

jh

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PAPER No.

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

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

U. S. DEPARTMENT OF COMMERCE
PATENT OFFICE
WASHINGTON

John Kenneth Wise
c/o United States Gypsum Co.
101 S. Wacker Drive
Chicago, Ill., 0606

NOTICE OF PUBLICATION

UNDER SECTION 12 (a)

SERIAL NO. 204,423	PUBLICATION DATE NOV 9 1965	MAILED OCT 18 1965
APPLICANT United States Gypsum Company		
MARK DURABOND		

The mark of the application above identified appears to be 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 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.

RECORDED

United States Patent Office

802,538

Registered Jan. 25, 1966

PRINCIPAL REGISTER Trademark

Ser. No. 204,423, filed Oct. 20, 1964

DURABOND

United States Gypsum Company (Illinois corporation)
101 S. Wacker Drive
Chicago, Ill.

For: JOINT COMPOUND FOR CONCEALING
AND REINFORCING JOINTS IN WALLBOARD, in
CLASS 12.

First use Dec. 3, 1962; in commerce Dec. 3, 1962.
Owner of Reg. Nos. 409,656, 597,270, and others.



Paper No.

**U.S. DEPARTMENT OF COMMERCE
Patent Office**

Address Only: COMMISSIONER OF PATENTS
Washington, D.C. 20231

"United States Gypsum Company,"
101 S. Wacker Drive
Chicago, Ill.

Att.: Legal Counsel

In Reply Please Refer To Registration Number and Date	
Mailed	Nov. 26, 1971
Reg. No.	802538
Dated	Jan 25, 1966
Sec. 12(c) Pub.	
Mark	Durabond

NOTICE OF REQUIREMENT OF SECTION 8

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 or declaration of use or excusable nonuse required by section 8 of the Trademark Act of 1946. For registrations issued after October 25, 1965 a fee of \$10 for each class must accompany affidavit or declaration.

The affidavit or declaration must state that the registered mark is still in use, specifying the nature of such use, and there must be submitted a specimen, facsimile or other evidence showing the mark as currently used, or if the mark is not actually being used, recite sufficient facts to show that nonuse of the mark is due to special circumstances which excuse such nonuse and is not due to any intention to abandon the mark.

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

Affidavits Section

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

CANCELLED

Date:

By direction of the Commissioner

Trademark Examining Operation

DEC 1 1971-15



UNITED STATES GYPSUM COMPANY

101 SOUTH WACKER DRIVE CHICAGO • ILLINOIS 60606



November 26, 1971

Commissioner of Patents
Washington, D.C. 20231

Re: Trademark Reg. No. 802,538

Dear Sir:

Please charge the fee for the attached affidavit of use relating to the subject trademark registration to the deposit account of United States Gypsum Company, Account No. 21-0425.

Very truly yours,

Chester Kolmodin

Chester N. Kolmodin
Trademark Attorney

CNK/cjm

Attachments

DEC 1 1971-15



Ln

NOV 29 1971

NOV 23 1971

IN THE UNITED STATES PATENT OFFICE
Affidavit under Sections 8 and 15 - Trade Mark Act of 1946

Mark DURABOND

Reg. No. 802,538

Class No. 12

#6

State of Illinois)
County of Cook) ss.

Gordon H. Huntley, being sworn, states that he is the Vice President of the United States Gypsum Company, a corporation of Delaware, having its place of business at 101 South Wacker Drive, Chicago 60606, Illinois, owner of 1946 Act Registration No. 802,538, issued January 25, 1966; that the mark therein has been in continuous use in interstate commerce for five consecutive years from January 25, 1966 to the present on the following goods recited in the registration, to wit: Joint compound for concealing and reinforcing joints in wallboard; that said mark is still in use in interstate commerce as evidenced by the attached specimen showing the mark as currently used; 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.

Gordon H. Huntley
Vice President

As of DEC 10 1971 fee(s) were applied to
Fee Code(s) 213 \$ 10.00
Patent Office
\$ (Authorized Signature)

NOV 25 1971

Subscribed and sworn to before me this 29th day of

November, 1971.

Harriet C. Rush
Notary Public

My Commission Expires July 28, 1974

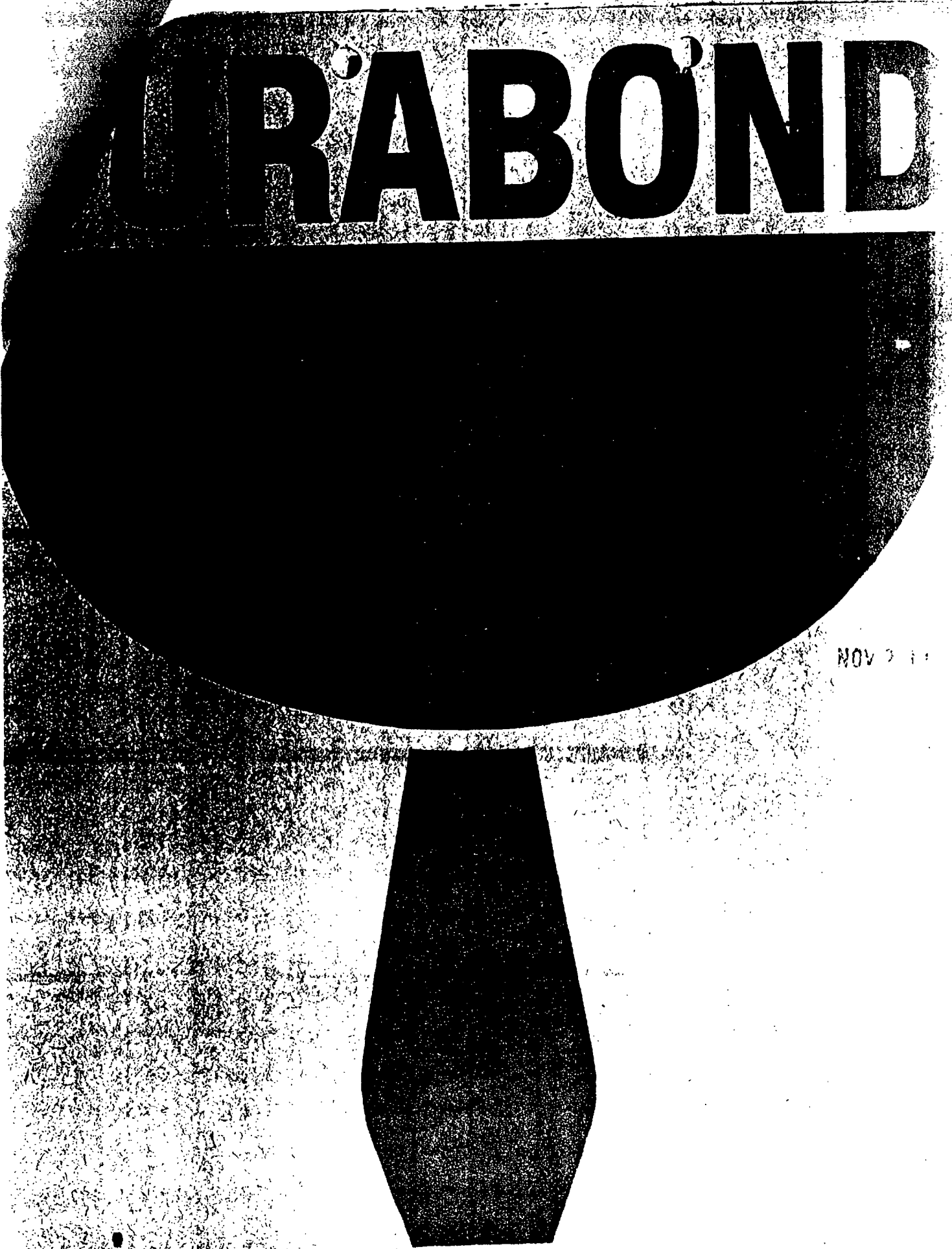
Registrant hereby appoints Chester Nels Kolmodin, 101 South Wacker Drive, Chicago 60606, Illinois, a member of the bar of the State of Illinois, to file this affidavit and to transact all business in the Patent Office in connection therewith.

UNITED STATES GYPSUM COMPANY

By

[Signature]
Vice President

TRABOND



NOV 2 19

JOINT COMPOUND TAPING

REGISTRATION NO.
802,538

ISSUED
12-C PUB

JAN. 25, 1966

RECEIPT IS HEREBY ACKNOWLEDGED OF THE AFFIDAVIT FILED
BY UNITED STATES GYPSUM COMPANY

ON DEC. 1, 1971

☒ SEC. 8 - AFFIDAVIT ACCEPTED

☒ SEC. 15 - AFFIDAVIT FILED

BY DIRECTION OF THE COMMISSIONER

JAA

MAR 22 1972

DIRECTOR, TRADEMARK EXAMINING OPERATION

FORM POL-136 A
2-60

AFFIDAVIT
ACKNOWLEDGMENT

CHESTER NELS KOLMODIN
101 S. WACKER DR.
CHICAGO, ILL. 60606

U. S. DEPARTMENT OF COMMERCE - PATENT OFFICE

USG Corporati

TRADEMARKS

781 South Wacker Drive
Chicago, Illinois 60606-4385

Telephone 312/321-4000



January 3, 1986

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

Re: TRADEMARK RENEWAL

Mark: DURABOND

REG. NO: 802,538

ISSUED: January 25, 1966

CLASS: Int'l. 19 (U.S. 12)

APPLICANT: UNITED STATES GYPSUM COMPANY

Dear Sir:

Enclosed are the following:

1. An application for trademark renewal for the above-identified mark.
2. A specimen of the mark; and
3. A check for \$300.00 to cover the fee.

A change in the state of incorporation of United States Gypsum Company from Illinois to Delaware was recorded for this mark in the Patent & Trademark Office on November 23, 1966, Reel 144-Frame 639.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'Kenneth E. Roberts'.

Kenneth E. Roberts
Patent & Trademark Attorney

300'00-302-DM/R

TRADEMARKS

(Indication for reverse side)

27 JAN 6 1986

APPLICATION FOR RENEWAL OF
REGISTRATION OF A MARK, WITH OATH.

THE COMMISSIONER OF PATENTS AND TRADEMARKS:

MARK (Identify the mark)

DURABOND

REGISTRATION NO.

802,538

CLASS NO(S)

INT'L. 19 (U.S. 12)

(check one box and fill in appropriate information¹)

☐ NAME OF INDIVIDUAL AS RENEWAL APPLICANT, AND BUSINESS TRADE NAME, IF ANY

BUSINESS ADDRESS

RESIDENCE ADDRESS

CITIZENSHIP

☐ NAME OF PARTNERSHIP AS RENEWAL APPLICANT

NAMES OF PARTNERS

BUSINESS ADDRESS OF PARTNERSHIP

CITIZENSHIP OF PARTNERS

☒ NAME OF CORPORATION² AS RENEWAL APPLICANT

UNITED STATES GYPSUM COMPANY

STATE OR COUNTRY OF INCORPORATION

DELAWARE

BUSINESS ADDRESS OF CORPORATION

101 South Wacker Drive, Chicago, IL 60606

The above identified applicant for renewal requests that the above identified registration, granted to UNITED STATES GYPSUM COMPANY on JAN. 25, 1966, which applicant for renewal now owns, as shown by records in the (name of original registrant) (date of issuance), Patent and Trademark Office, be renewed in accordance with the provisions of Section 9 of the Act of July 5, 1946.

The mark shown in said registration is still in use in INTERSTATE commerce³ on or in connection with each of the following: JOINT COMPOUND FOR CONCEALING AND REINFORCING JOINTS IN WALLBOARD (type of commerce)

(list the goods and/or services or insert the words "all the goods" and/or "all the services" as may be appropriate)

which are recited in the registration, the attached specimen showing the mark as currently used.⁴

A Check for \$300.00 to cover the fee is attached.⁵

State of ILLINOIS)
County of COOK) ss.

STANTON T. HADLEY, VICE PRESIDENT, SECRETARY
(name of person whose signature is to be placed below⁶)

states that to the best of his/her knowledge and belief the facts set forth in this application are true.

UNITED STATES GYPSUM COMPANY

JURAT:

Subscribed and sworn to before me, this 3rd day of January, 1986.

01/14/86-0802538 5302

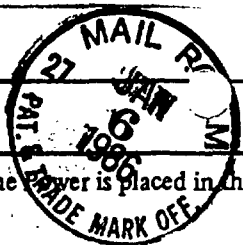
(signature)

(notary-public)

PTO Form 4.13

UNITED STATES GYPSUM COMPANY
101 South Wacker Drive
Chicago, IL 60606
312/321-5806

Patent and Trademark Office - U.S. DEPARTMENT of COMMERCE
(over)



TRADEMARKS

POWER OF ATTORNEY AT LAW

When the Power is placed in the application as a paragraph thereof, use the following language:

POWER OF ATTORNEY AT LAW

Applicant hereby appoints:

[name(s) of Attorney(s) at Law¹]

[address]

to prosecute this application to register, to transact all business in the Patent and Trademark Office in connection therewith, and to receive the certificate of registration.

When the Power is placed on a separate sheet, this sheet may be used by filling in the following:

POWER OF ATTORNEY AT LAW

IDENTIFY THE MARK

DURABOND

REG.

SERIAL NO., IF ANY

802,538

NAME OF APPLICANT

UNITED STATES GYPSUM COMPANY

DATE OF SIGNATURE

1/3/86

Applicant hereby appoints:

KENNETH E. ROBERTS and ROBERT H. ROBINSON

[name(s) of Attorney(s) at Law¹]

USG Corporation

101 South Wacker Drive, Chicago, IL 60606

[address]

to prosecute this application to ~~register~~ ^{renew} ~~renewal~~, to transact all business in the Patent and Trademark Office in connection therewith, and to receive the certificate of ~~registration~~ ^{renewal}.

UNITED STATES GYPSUM COMPANY

(signature of applicant²)Stanton T. Hadley, Vice President,
Secretary

FOOTNOTES

1 Individual attorney(s) at law must be named. If the name of a law firm rather than individual attorney(s) is given, the firm name will be regarded merely as the designation of an address for sending correspondence to applicant.

2 When the power of attorney is on a separate sheet, it must be signed; however, a power of attorney which is a paragraph in the application is supported by the signature to the application and need not be signed separately.

JAN 6 1986
TRADE MARK

WARNING
MAY CAUSE BURNS
See Caution on back of bag.

20

**ION-ASBESTOS
JOINT COMPOUND**

**NET WT.
25 LB.
(11.3 kg)**

UNITED STATES GYPSUM



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

REGISTRATION NO. 0802538

SERIAL NO. 72/204423

PAPER NO.

MAILING DATE: 03/24/86

MARK: DURABOND

REGISTRANT: UNITED STATES GYPSUM COMPANY

CORRESPONDENCE ADDRESS:

KENNETH E. ROBERTS
USG CORPORATION
101 SOUTH WACKER DRIVE
CHICAGO, IL 60606

Please furnish the following
in all correspondence:

1. Your phone number and zip code.
2. Mailing date of this action.
3. Affidavit-Renewal Examiner's name.
4. The address of all correspondence
not containing fees should include
the words "Box 5".
5. Registration No.

RECEIPT IS ACKNOWLEDGED OF THE SUBMITTED REQUEST UNDER:

SECTION 9 OF THE TRADEMARK ACT AND 37 CFR SECS. 2.181-2.184.

YOUR REQUEST FULFILLS THE STATUTORY REQUIREMENTS AND RENEWAL HAS BEEN
GRANTED.

F.A. Pfohl

FRANCES PFOHL
AFFIDAVIT-RENEWAL EXAMINER
TRADEMARK EXAMINING OPERATION
(703) 557-1989

ASSIGNMENTS

- ☐ No previous assignments of record as of _____
- ☐ See Title Record for ownership information prior to this record

REG. NO.
SER. NO.

Serial No.	Filing Date	Reel	Frame	Registration Date	Reg. No.
	Oct. 6, 1966	144	639	Jan. 23, 1966	802,538
Date		(Trade-Mark)		Date Recorded	Nov. 23, 1966
Registrant	United States Gypsum Company				
Assignor	"United States Gypsum Company", a Ill. corp. into "U S G Corporation", a Del. Corp.				
Assignee	"United States Gypsum Company"				
Brief	Certificate by the Secretary of State of Delaware showing merger of Assignors on June 27, 1966, and change of name of the surviving corporation on June 30, 1966				

5/4/90
71BR



72204423

FILING DATE
10/20/1964REGISTRATION #
802538

CLASS.

12

CONT

papers.

1. 1965

Adt A + Encl

Apr 26/65

MAY 21 1965

Admt B

Aug. 5/65 ✓

N OF P.

CONF. AFF. SEC. 8 & 15 DEC 1 1971

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Sen Pat Jan 6, 1986

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