

No. 1369

APPLICATION  
FOR REGISTRATION  
OF TRADE MARK

"Comfortaire"

STATE OF WYOMING

Office of the Secretary

This instrument was filed on the

13 day of Aug

A. D. 1938, at o'clock

and is recorded in Vol. 4

of Corporations, page 411

LESTER C. H.

Secretary

By

Redney Barnes

D-13.

APPLICATION FOR REGISTRATION OF TRADE MARK

TO THE SECRETARY OF THE STATE OF WYOMING:

The undersigned, Thomas J. Brimer, being the owner of a trademark adopted and used, and now being used, and desiring to file the same for record in the office of the Secretary of the State of Wyoming, does hereby certify:

1. The name of the <sup>person</sup>~~corporation~~ so filing is Thomas J. Brimer  
(may/~~qualify~~ a corporation of trade-mark name at a later date)  
organized under the laws of the State of -----.
2. The place of business of said corporation is in 4220 Van Ness St. NW, Washington, D.C.
3. The class of merchandise for which said trademark has been and/or is intended to be used is: "COMFORTAIRE"  
HEATING, COOLING, VENTILATING AND AIR-CONDITIONING APPARATUS EQUIPMENT  
AND SYSTEMS; ELECTRICAL AND NON-ELECTRICAL.
4. The trade mark consists of the word (or words) "COMFORTAIRE"  
-----, the exclusive right to the use of which the applicant claims by priority of adoption and employment.

**Comfortaire**

5. The trademark has been in continuous use by applicant since  
First used by applicant in November, 1933; predecessor first used in 1928.

Signature available on original document

BY \_\_\_\_\_  
(Title)

Dated August 4, 1938.

~~STATE OF~~ WASHINGTON, )  
~~COUNTY OF~~ DISTRICT OF COLUMBIA ) SS

Personally appeared before me, this 4th day of August, 1938  
Thomas J. Brimer, who, being by me duly sworn according to law,  
doth depose and say that the statements contained in the foregoing instrument are  
true; that Thomas J. Brimer, the ~~corporation~~ <sup>person</sup> so filing  
such trademark has the right to use the same, and that no other person or persons,  
firm or corporation has the right to such use, and that the facsimiles filed here-  
with are true and correct.

Sworn to and subscribed before me the day and year aforesaid.

Margaret B. Toland  
Notary Public

My Commission Expires March 15, 1943.

(NOTARY SEAL)

Fees: For registration, \$5.00; For certificate of registration, \$5.00.

2601

WYOMING

ASSIGNMENT AND SALE OF TRADE-MARK  
"COMFORTAIRE" AND ASSOCIATED GOOD  
WILL OF THE BUSINESS

FROM: THOMAS J. BRIMER

TO: COMFORTAIRE CORPORATION

ASSIGNMENT  
STATE OF WYOMING } SS

Office of the Secretary

This instrument was filed on  
the 26th day of September  
A.D., 1946, at o'clock 1:05 P.M.,  
and is recorded in Book 7 Record of  
Corporations, Page 248

WM. "SCOTTY" JACK  
Secretary of State

By *W. E. Johnson* Deputy

IRA MILTON JONES  
LAWYER  
110 E. WISCONSIN AVE.  
MILWAUKEE, WIS.

A S S I G N M E N T

WHEREAS, THOMAS J. BRIMER, of Asheville, North Carolina, is the owner of the full and exclusive right, title, and interest in and to the trade-mark "Comfortaire" covered by State Registration of Wyoming issued August 13, 1938, together with the good will of the business in connection with which the said mark is used; and

WHEREAS, COMFORTAIRE CORPORATION, a corporation organized and existing under and by virtue of the laws of the State of Delaware, and having an office and place of business at Elkhart Lake, Wisconsin, is desirous of acquiring the full and exclusive right, title, and interest in and to the aforesaid trade-mark, together with the good will of the business in connection with which the said trade-mark is used.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration to him in hand paid, the receipt and sufficiency of which is hereby acknowledged, THOMAS J. BRIMER, by these presents does confirm the sale, assignment and transfer, as of the date of execution

of this instrument, of the full and exclusive right, title, and interest in and to the aforesaid trade-mark, together with the good will of the business in connection with which the said trade-mark is used; the same to be held and enjoyed by the said COMFORTAIRE CORPORATION (a Delaware Corporation) of Elkhart Lake, Wisconsin, for its own use and behoof, and for its legal representatives, successors and/or assigns as fully and entirely as the same would have been held by THOMAS J. BRIMER, had this assignment and sale not been made.

EXECUTED this 12th day of September, 1946.

  
  
Signature available on original document

STATE OF WISCONSIN    )  
                              : ss  
COUNTY OF MILWAUKEE )

Personally came before me this 12th day of September, 1946, the above named THOMAS J. BRIMER, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Corinne B. Blair  
Notary Public  
My Commission expires: 11/29/50

(NOTARIAL SEAL)





*Comfort-Cire*

by HEAT CONTROLLER, INC.

W-  
4133

ASSIGNMENT OF TRADE MARK

"COMFORTAIRE"

FROM  
COMFORTAIRE CORPORATION

TO

W. W. McMILLAN

STATE OF WYOMING } SS  
Office of the Secretary

This instrument was filed on  
the 26<sup>th</sup> day of July  
A.D. 19 26, at 1:00 o'clock P. M.  
and is recorded in Book 10 of  
~~Corporate~~ Records, Page 16.

EVERETT T. COPENHAGEN  
Secretary of State

By:

M. J. R.

Deputy

## A S S I G N M E N T

WHEREAS, Comfortaire Corporation, a corporation organized under the laws of the State of Delaware, located and doing business at 3510 Overlook Lane, N. W., Washington, D. C., was the owner of the trademark COMFORTAIRE which was registered in the State of Wyoming on August 13, 1938; and

WHEREAS, under date of December 7, 1955 said Comfortaire Corporation entered into an agreement with W. W. McMillan, an individual doing business as W. W. McMillan and Co. at 1021 Mary Street, Jacksonville, Florida, assigning said trademark COMFORTAIRE, together with the good will of the business in connection with which the mark was used, to said W. W. McMillan; and

WHEREAS, in said agreement said Comfortaire Corporation agreed that within ninety days after the execution of said agreement it would either dissolve Comfortaire Corporation or change the corporate name of Comfortaire Corporation to one dissimilar to Comfortaire and further agreed to execute such instruments as might be necessary to assign and perfect title to the trademark COMFORTAIRE under the laws of various states in which said Comfortaire Corporation heretofore registered said trademark; and

WHEREAS, on March 5, 1956 said Comfortaire Corporation was dissolved in accordance with the said agreement and the officers were authorized to execute formal assignments of the trademark COMFORTAIRE to said McMillan;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:

Be it known that for and in consideration of the premises and other good and valuable considerations, the receipt of which is hereby acknowledged, said Comfortaire Corporation, by these presents does sell, assign and transfer to W. W. McMillan nunc pro tunc as of December 7, 1955 the entire right, title and interest in and to the said trademark and registration thereof

R3241



in the State of Wyoming, together with the good will of the business in connection with which the said trademark is used.

COMFORTAIRE CORPORATION

Signature available on original document

By

*President (at time of dissolution)*

CITY OF WASHINGTON :

DISTRICT OF COLUMBIA:

Personally appeared before me the said *Thomas J. Drina*

and acknowledged the above instrument as his free act and deed this 24 day of May, 1956.

*Charles O. Sanders*  
Notary Public

My Comm. Exp-3-16-61

DEBORA  
Secretary of State  
Office of the Secretary  
STATE OF WYOMING  
22  
The instrument was filed on  
the 24th day of May 1956  
at Cheyenne, Wyoming  
VD 12-55-91  
Subject: Order of Dissolution  
of Comfortaire Corporation  
B-2044

M. M. MONTGOMERY

TO

COMFORTAIRE CORPORATION

FROM

ASSIGNMENT OF TRADE MARK

4/33

ASSIGNMENT

"COMFORTAIRE"

STATE OF TEXAS

61 11th SEPTEMBER 9:00 A.

*[Signature]*

ASSIGNMENT

WHEREAS W. W. McMillan, an individual doing business as W. W. McMillan and Co. at 1501 Miami Road, Jacksonville, Florida, was the owner of the Trade-Mark COMFORTAIRE by assignment from Comfortaire Corporation of Washington, D.C., which trade-mark was registered in the State of Wyoming on August 13, 1938, Registration No. 1369 ; and

WHEREAS, under date of November 8, 1960, said W. W. McMillan entered into an agreement with Heat Controller, Inc., a Corporation of Michigan, doing business at 1900 Wellworth St., Jackson, Michigan, assigning said Trade-Mark COMFORTAIRE, together with the goodwill of the business in connection with which the mark was used, to said Heat Controller, Inc.; and

WHEREAS, in said agreement said W. W. McMillan agreed to execute all proper papers that may be required to formally record transfer of ownership of said registration under the laws of said State;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:

Be it known that for and in consideration of the premises and other good and valuable consideration, the receipt of which is hereby acknowledged, said W. W. McMillan, by these presents, does sell, assign and transfer to Heat Controller, Inc., nunc pro tunc, as of November 8th, 1960, the entire right, title and interest in and to the said trade-mark and registration thereof in said State, together with the goodwill of the business in connection with which the said trade-mark is used.

Signature available on original document

W. W. McMillan dba  
W. W. McMillan Co.

STATE OF FLORIDA

COUNTY OF DUVAL ) SS

On this 31<sup>st</sup> day of July, 1961, before me, a Notary Public in and for said County, personally appeared W. W. McMillan known to me to be the person named in, and who executed the foregoing instrument, and acknowledged that he executed the same freely and for the intents and purposes therein mentioned.

Dexter H. Campbell  
Notary Public

My commission expires 1/23/65

SEAL

1846 Rec. 7/1/61



(Must be submitted in duplicate)

Filed the 21st day of March

STATE OF WYOMING

1966, at 10:30 A.M.Office of the  
SECRETARY OF STATECapitol Building  
Cheyenne, Wyoming 82001THYRA THOMSON  
Secretary of StateAPPLICATION FOR REGISTRATION OF TRADEMARK  
RENEWAL FORM

00638

Registration fee - \$10.00  
Payable to the Secretary of State

1. BE IT KNOWN that the applicant HEAT CONTROLLER, INC.  
has heretofore adopted and used a certain trademark and hereby makes application for  
the renewal of such trademark registration.

2. Address of applicant is: Street 1900 Wellworth Avenue  
City Jackson County Jackson State Michigan

3. (a) Individual (b) Partnership (c) Corporation (indicate which one)  
(b) names and addresses of partners:



(c) show where incorporated State of Michigan

4. Date of most recent registration or renewal in the office of the Wyoming Secretary of  
State August 13, 1938

5. Trademark and description of goods in connection with which mark is used:  
Comfort-Aire - Air conditioners, heat pumps, dehumidifiers, furnaces  
electric heaters, water chillers, condensing units and combination  
heating and cooling units.

6. Mode or manner in which mark is used in connection with goods: By label or  
metal name plate affixed thereto  
and three specimens or facsimiles of the mark as actually used are presented herewith.

7. Class Number and Title (See reverse) 34

8. Date of first use by applicant or predecessor:

(a) Anywhere: August 10, 1928

(b) In this State: June 1, 1960 by applicant

9. Trademark is still in use in Wyoming: Yes ☒ No ☐

STATE OF MICHIGAN

COUNTY OF JACKSON

ss

J. A. Knight, being first duly sworn, deposes and says  
that he is President of Heat Controller, Inc. the applicant  
herein and makes this affidavit in its behalf. He has read the above  
application, and the facts set out therein are true; he believes the applicant to be the  
owner of the mark whose registration is sought to be renewed; to his best knowledge and  
belief no other person, firm, corporation or association has the right to use said mark in  
this State, either in the identical form or in such near resemblance thereto as might be  
calculated to deceive.

Date: March 15, 1966

Signature available on original document

Applicant's signature

Subscribed and sworn to before me this 15th day of March, 19 66

(seal)

Notary Public

My commission expires:

JOSEPHINE URA

Notary Public, Jackson County, Wyo.  
My Commission Expires Nov. 3, 1967



PLEASE read instructions on reverse side before completing this application.

STATE OF WYOMING  
FILED  
at 2:35 P.M.

STATE OF WYOMING

MAR 10 1976  
02333

THYRA THOMSON  
SECRETARY OF STATE

3-21-76  
#638  
SECRETARY OF STATE  
Capitol Building  
Cheyenne, Wyoming 82002

APPLICATION FOR RENEWAL OF (TRADEMARK) OR SERVICE MARK REGISTRATION

1. BE IT KNOWN THAT THE APPLICANT HEAT CONTROLLER, INC.  
has heretofore adopted and used a certain trademark and hereby makes application for the renewal of such trademark registration.
2. Address of applicant is: Street 1900 Wellworth Avenue  
City Jackson County Jackson State Michigan
3. Is applicant (a) an individual (b) a partnership (c) (a corporation) (CIRCLE ANSWER)  
If (b) names and address of partners: \_\_\_\_\_  
If (c) where and when incorporated: Michigan
4. Date of most recent registration or renewal in the office of the Wyoming Secretary of State:  
March 21, 1966
5. Provide a WRITTEN description of trademark or service mark. (Description must include all words, names, symbols, devices, designs, colors or combinations thereof which make up the mark).  
COMFORT-AIRE
6. Provide (a) the class number and title of the goods or services (see reverse); (b) a brief description of the goods or services within the class; and (c) the mode or manner in which the mark is used to identify the goods or services (e.g. GOODS - labels on cans, bags, wrappers, etc.; tags, labels, nameplates affixed directly to product; on display stands or in window signs, etc.; SERVICES - labels on laundry bags, etc.; advertising; window signs)  
Class 34 - Air conditioners, heat pumps, dehumidifiers, furnaces, electric heaters, water chillers, condensing units and combination heating and cooling units. Heating, Lighting and Ventilating Apparatus. Used on nameplates affixed directly to the product.
7. Date of first use by applicant or predecessor:  
(a) Anywhere: August 10, 1928  
(b) In this State: June 1, 1960, by applicant.
8. NOTE: THREE SPECIMENS OR FACSIMILES MUST ACCOMPANY THIS APPLICATION.

STATE OF MICHIGAN  
COUNTY OF JACKSON SS



J. A. Knight, being first duly sworn, deposes and says  
that he is President of the applicant and makes this affidavit  
(title)

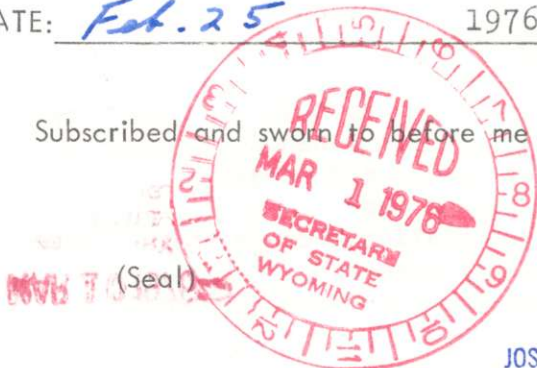
on behalf of the applicant. He has read the above application, and the facts set out therein are true; he believes the applicant to be the owner of the mark sought to be renewed; to his best knowledge and belief no other person, firm, corporation or association has the right to use said mark in this State, either in the identical form or in such near resemblance thereto as might be calculated to deceive.

DATE: Feb. 25 1976.

Signature available on original document

Signature

Subscribed and sworn to before me this 25th day of February, 19 76.



Josephine Ura  
Notary Public

JOSEPHINE URA  
Notary Public, Jackson County, Mich.  
My Commission Expires 7-21-79

My Commission expires: \_\_\_\_\_

#15874  
10.00



STATE OF WYOMING

FILED

SECRETARY OF STATE  
Capitol Building  
Cheyenne, Wyoming 82002

SEP 30 85 2 31 57 8

WYOMING  
SECRETARY OF STATE

APPLICATION FOR RENEWAL OF TRADEMARK OR SERVICE MARK REGISTRATION

1. BE IT KNOWN THAT THE APPLICANT HEAT CONTROLLER, INC. has heretofore adopted and used a certain trademark and hereby makes application for the renewal of such trademark registration.
2. Address of applicant is: Street 1900 Wellworth Avenue  
City Jackson County Jackson State Michigan 49203
3. Is applicant (a) an individual (b) a partnership (c) a corporation (CIRCLE ANSWER)  
If (b) names and addresses of partners: \_\_\_\_\_  
If (c) where and when incorporated: Michigan
4. Date of most recent registration or renewal in the office of the Wyoming Secretary of State: March 10, 1976
5. Provide a WRITTEN description of trademark or service mark. (Description must include all words, names, symbols, devices, designs, colors or combinations thereof which make up the mark). COMFORT-AIRE
6. Provide (a) the class number and title of the goods or services (see reverse); (b) a brief description of the goods or services within the class; and (c) the mode or manner in which the mark is used to identify the goods or services (e.g. GOODS - labels on cans, bags, wrappers, etc.; tags, labels, nameplates affixed directly to product; on display stands or in window signs, etc.; SERVICES - labels on laundry bags, etc.; advertising; window signs). Class 34 - air conditioners, heat pumps, dehumidifiers, furnaces, electric heaters, water chillers, condensing units and combination heating and cooling units. Used as nameplates affixed directly to the product.
7. NOTE: THREE SPECIMENS OR FACSIMILES MUST ACCOMPANY THIS APPLICATION.
8. APPLICANT CERTIFIES THAT THE MARK IS STILL IN USE IN WYOMING.

STATE OF MICHIGAN )  
COUNTY OF JACKSON ) SS

*Comfort-Aire*

by HEAT CONTROLLER, INC.

James A. Knight, being first duly sworn, deposes and says that he is president of the applicant and makes this affidavit (title)

on behalf of the applicant. He has read the above application, and the facts set out therein are true; he believes the applicant to be the owner of the mark sought to be renewed; to his best knowledge and belief no other person, firm, corporation or association has the right to use said mark in this State, either in the identical form or in such near resemblance thereto as might be calculated to deceive or to be mistaken therefor.

HEAT CONTROLLER, INC.

DATE: September 25, 1985

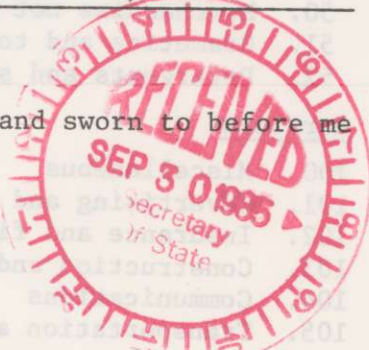
By

Signature available on original document

James A. Knight Signature

Subscribed and sworn to before me this 25th day of September, 19 85.

(Seal)



Josephine Vera  
Notary Public

My Commission expires: May 18, 1987



\*PLEASE READ INSTRUCTIONS ON REVERSE\*  
\*SIDE BEFORE COMPLETING APPLICATION.\*  
\*\*\*\*\*

COMFORT-AIRE  
HEAT CONTROLLER, INC  
1900 WELLWORTH AVE.  
JACKSON, MI 49203

TM 80-000638

OCT 12 95 3 04 07 3

WYOMING  
SECRETARY OF STATE

APPLICATION FOR RENEWAL OF TRADEMARK OR SERVICE MARK REGISTRATION

1. BE IT KNOWN THAT THE APPLICANT Heat Controller, Inc.  
has heretofore adopted and used a certain trademark and hereby makes application for  
the renewal of such trademark registration.
2. Address of the Applicant is: Street 1900 Wellworth Avenue  
City Jackson County Jackson State Michigan Zip 49204-1089
3. Is applicant (a) individual? (b) partnership? (c) corporation? (d) other? (Circle one.)  
If (b), give names and addresses of partners: \_\_\_\_\_  
\_\_\_\_\_  
If (c), show when and where incorporated (State) Michigan Date 2-17-49
4. Date of original registration in the office of the Wyoming Secretary of State: 8-13-38
5. Provide a written description of trademark or service mark. Your description must  
include all words, names, symbols, devices and designs which appear on the mark. \_\_\_\_\_  
The word "COMFORT-AIRE"
6. Provide the class number and title of the goods or services (see reverse). **USE ONLY  
ONE CLASS CODE PER RENEWAL.** 34 - Heating, Lighting and Ventilating  
Apparatus
7. Provide a brief description of the goods or services within the class. Air conditioners,  
heat pumps, dehumidifiers, furnaces, electric heaters, water chillers,  
condensing units and combination heating and cooling units.
8. List the mode or manner in which the mark is used to identify the goods or services  
(e.g., GOODS - labels on cans, bags, wrappers, etc; tags, nameplates affixed directly to  
product; SERVICES - labels on laundry bags, advertising, window signs, etc.)  
The mark appears on labels affixed directly to the goods.
9. **NOTE: THREE (3) SPECIMENS OR FACSIMILES MUST ACCOMPANY THIS  
APPLICATION.**
10. **APPLICANT CERTIFIES THAT THE MARK IS STILL IN USE IN WYOMING.**

*Comfort-Aire*  
By HEAT CONTROLLER, INC.

Dated Sept 25, 1995 Signature James A. Knight, President  
\*\*\*\*\*  
Signature available on original document

STATE OF MICHIGAN )  
COUNTY OF JACKSON )

James A. Knight, being first duly sworn, deposes and says that he is President  
(Title)

He has read the above application, and the facts set out therein are true; he believes the applicant to be  
the owner of the mark sought to be renewed; to his best knowledge and belief no other person, firm,  
corporation or association has the right to use said mark in this State, either in the identical form or in  
such near resemblance thereto as might be calculated to deceive or to be mistaken therefore:

Subscribed and sworn to before me this 25<sup>th</sup> day of September, 19 95.  
Richard M. Best  
Notary Public  
(SEAL)  
My Commission Expires: My Commission Expires Mar. 17, 1997

*Comfort-Aire®*

By HEAT CONTROLLER, INC.

*Comfort-Aire®*

By HEAT CONTROLLER, INC.

*Comfort-Aire®*

By HEAT CONTROLLER, INC.