

06-28-2002



01K 000

Form **TO-1594**
(Rev. 3/01)
OMB No. 0651-0027 (exp. 5/31/2002)
Tab settings ⇌ ⇌ ⇌ ▼ ▼ ▼ ▼ ▼ ▼ ▼

102139171
TRADEMARK ONLY

T U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): **6-3-02**
Scarlet Tanager Holdings I LLC

Individual(s) Association
 General Partnership Limited Partnership
 Corporation-State
 Other **Limited Liability Company**
Delaware

Additional name(s) of conveying party(ies) attached? Yes No

2. Name and address of receiving party(ies)
Name: **Scarlet Tanager Holdings III LLC**
Internal Address: _____
Address: _____
Street Address: **7602 Hyland Lane**
City: **Guilford** State: **IN** Zip: **47022**

Individual(s) citizenship _____
 Association _____
 General Partnership _____
 Limited Partnership _____
 Corporation-State _____
 Other **Delaware Limited Liability Company**

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No
(Designations must be a separate document from assignment)
Additional name(s) & address(es) attached? Yes No

3. Nature of conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other _____
Execution Date: **January 31, 2002**

4. Application number(s) or registration number(s):
A. Trademark Application No.(s) _____

Additional number(s) attached Yes No

B. Trademark Registration No.(s) **2124884; 0871125;**
0871095; 0754816; 0934186; 0944973;
2055313; 1407214; 1257259; 1079033

5. Name and address of party to whom correspondence concerning document should be mailed:
Name: **Candace Lynn Bell, Esq.**
Internal Address: **Kavinoky & Cook, LLP**

Street Address: **120 Delaware Avenue,**
Suite 600
City: **Buffalo** State: **NY** Zip: **14202**

6. Total number of applications and registrations involved: **10**

7. Total fee (37 CFR 3.41).....\$**265.00**

Enclosed
 Authorized to be charged to deposit account

8. Deposit account number:
50-1024

DO NOT USE THIS SPACE

9. Signature.

Candace Lynn Bell, Esq.
Name of Person Signing

June 3, 2002
Date

5

Total number of pages including cover sheet, attachments, and document:
Mail documents to be recorded with required cover sheet information to:
Commissioner of Patent & Trademarks, Box Assignments
Washington, D.C. 20231

06/27/2002 0BYRNE 00000271 2124884

40.00 DP
225.00 DP

01 FC:481
02 FC:482

EXPRESS MAIL LABEL
NUMBER: EL541548988US

TRADEMARK
REEL: 002534 FRAME: 0052

SCARLET Tanager HOLDINGS I LLC
ASSIGNMENT OF TRADEMARKS/SERVICE MARKS

Whereas Scarlet Tanager Holdings I LLC, a Delaware limited liability company with offices at 7602 Hyland Lane, Guilford, Indiana 47022, has adopted and used the trademarks and/or service marks described as the "Marks" on Schedule A attached hereto; some of which Marks may be the subject of pending applications with the United States Patent and Trademark Office, some of which Marks may be the subject of registrations with the United States Patent and Trademark Office, some of which Marks may be the subject of pending applications with foreign trademark offices, some of which Marks may be the subject of registrations with foreign trademark offices, and some of which Marks may be the subject of domain name registrations, as more specifically described on Schedule A, and

Whereas Scarlet Tanager Holdings III LLC, a Delaware limited liability company with a mailing address of 7602 Hyland Lane, Guilford, Indiana 47022, is desirous of acquiring said Marks and the goodwill associated therewith.

Now, therefore, for good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, Scarlet Tanager Holdings I LLC does hereby fully assign, transfer, and release unto Scarlet Tanager Holdings III LLC all of its right, title, and interest in and to the said Marks, including, but not limited to, all of its right, title, and interest in and to any pending applications and registrations for such Marks, together with the goodwill of the business symbolized by the Marks.

Scarlet Tanager Holdings I LLC further assigns, transfers, and releases to Scarlet Tanager Holdings III LLC any and all claims for damages by reason of past, present, or future continuing infringement of said Marks, and the right to sue for and collect the same for its own use and benefit and that of its successors, assigns, or other legal representatives.

Date: January 31, 2002

Scarlet Tanager Holdings I LLC

By: 
Niles Kinerk, Chief Executive Officer

EXPRESS MAIL LABEL
NUMBER: EL541548988US
TRADEMARK
REEL: 002534 FRAME: 0053

STATE OF INDIANA)
)SS.:
COUNTY OF Dea born)

On the 31 day of January, 2002 before me the undersigned, personally appeared Niles Kinerk, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity as Chief Executive Officer of Scarlet Tanager Holdings I LLC and that by his signature on the instrument Scarlet Tanager Holdings I LLC executed the instrument, and that Niles Kinerk made such appearance before the undersigned in the City of Lawrenceburg and State of Indiana.



Notary Public

SCHEDULE A

OWNER: Scarlet Tanager Holdings I LLC
A Delaware Limited Liability Company

MARK	STATUS	REG NUMBER	REG DATE	SERIAL NUMBER	FILE DATE	COUNTRY
HENRY FIELD	REG	2124884	12/30/1997	75/095530	04/29/1996	USA
TRIANGLE AND ROOT design only	REG	0871125	06/17/1969	72/308206	09/25/1968	USA
SHADED TRIANGLE AND ROOT design only	REG	0871095	06/17/1969	72/308204	09/25/1968	USA
FIELD with design of SHADED TRIANGLE AND ROOT	REG	0754816	08/20/1963	72/143358	04/30/1962	USA
HENRY FIELD'S	REG	0934186	05/16/1972	72/385736	03/08/1971	USA
HENRY FIELD	REG			2001014969	1/31/01	USA
FIELD	REG	0944973	10/17/1972	72/385735	03/08/1971	USA
TRIANGLE AND ROOT design only	REG	2055313	04/22/1997	75/116352	06/10/1996	USA
GURNEY'S and design	REG	1407214	09/02/1986	73/510897	11/28/1984	USA
GURNEY	REG	1257259	11/15/1983	73/411304	01/28/1983	USA
GREEN KING	REG	1079033	12/06/1977	73/111761	01/07/1977	USA

EXPRESS MAIL LABEL
NUMBER: EL541548988US