

MDP 5-17-98

DOCUMENT ID NUMBER 100655617A

FORM PTO-1594 (Rev. 6-93)

CASE NO.:

REC

06-01-1998

SHEET

U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office

OMB No. 0651-0011 (exp. 4/94)

Tab settings



To the Honorable Commissioner of Patents

100722821

attached original documents, or copy thereof.

1. Name of conveying party(ies):

T. Bears of Maui/  
Gecko Trading Company dba T. Bears of Maui

- Individual(s)
- General Partnership
- Corporation-State
- Other
- Association
- Limited Partnership

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

3. Nature of conveyance:

- Assignment copy
- Security Agreement
- Other Correction of Name
- Merger
- Change of Name

Execution Date: August 20, 1990

2. Name and address of receiving party(ies)

Name: Gecko Trading Company

Internal Address: SEE BELOW

Street Address: 3621 Baldwin Avenue

City: Makawao State: HT ZIP: 96768

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State Hawaii
- Other

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

4. Application number(s) or patent number(s):

A. Trademark Application No.(s)

05/29/1998 DCOATES 00000073 1510173

01 FC:481 40.00 DF  
02 FC:482 50.00 DF

B. Trademark Registration No.(s)

1,510,173

1,512,691

1,514,657

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Bruce B. Brunda  
STETINA BRUNDA GARRED & BRUCKER  
Internal Address: 24221 Calle de la Louisa  
4th Floor  
Laguna Hills, CA 92653-7602

Street Address: STETINA BRUNDA GARRED & BRUCKER  
24221 Calle de la Louisa  
4th Floor  
City: Laguna Hills State: CA ZIP: 92653-7602

6. Total number of applications and registrations involved: 3

7. Total fee (37 CFR 3.41).....\$  
(\$40 for 1st and \$25 for 2nd and additional)  
 Enclosed

Authorized to be charged to deposit account --  
ANY ADDITIONAL FEES NEEDED

8. Deposit account number:

19-4330

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Bruce B. Brunda  
Name of Person Signing  
(attorney)

[Signature]  
Signature

May 14, 1998  
Date

Total number of pages including cover sheet, attachments, and documents: 1

Ref: 100722821  
DCOATES  
\$80.00  
CHECK Refund

A S S I G N M E N T

WHEREAS, T.BEARS OF MAUI, a Hawaii Partnership, having a principal place of business at 3621 Baldwin Avenue, Makawao, Hawaii 96768, has adopted and used the mark GECKO for which they have filed an application and have obtained registration in the United States Patent and Trademark Office, United States Trademark Registration No. 1,510,173 Registered October 25, 1988 for GECKO;

WHEREAS, GECKO TRADING COMPANY, a Hawaii corporation, having a principal place of business at 3621 Baldwin Avenue, Makawao, Hawaii 96768, is desirous of obtaining the entire right, title, and interest in, to, and under the said mark.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, said T.BEARS OF MAUI has assigned and does hereby assign unto said GECKO TRADING COMPANY, a Hawaii corporation all right, title, and interest in and to said mark, together with the goodwill of the business symbolized by the mark.

IN TESTIMONY WHEREOF, T.BEARS OF MAUI hereunto sets its hand and seals this 20 day of August, 1990.

T.BEARS OF MAUI

By: Tina Fein  
TINA FEIN

TRADE-MARK

ROLL 0736 FRAME 120

State of Hawaii )  
County of MAUI ) ss:

On this 20 day of AUGUST, 1990, before me, a Notary Public in and for the State and County aforesaid, personally appeared TINA FEIN known to me, or proved to me on the basis of satisfactory evidence, to be the person of that name, who signed and sealed the foregoing instrument as Partner on behalf of the partnership therein named and acknowledged to me that the partnership executed it and acknowledged the same to be his/her free act and deed.

SEAL:

Maizone Kakuvel  
Notary Public  
COMM. EXP. 4-27-91

T. BEARS OF MAUI

BY:

Julie McCormick  
JULIE McCORMICK

State of Hawaii )  
County of MAUI ) ss:

On this 20 day of AUGUST, 1990, before me, a Notary Public in and for the State and County aforesaid, personally appeared JULIE McCORMICK known to me, or proved to me on the basis of satisfactory evidence, to be the person of that name, who signed and sealed the foregoing instrument as Partner on behalf of the partnership therein named and acknowledged to me that the partnership executed it and acknowledged the same to be his/her free act and deed.

SEAL:

Waiyone Maxwell  
Notary Public  
COM. EXP. 4-27-91

RECORDED  
PATENT AND TRADEMARK  
OFFICE

SEP 15 1990

TRADE-MARK

ROLL 0736 FRAME 121

Case TBEAR-001T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Owner : Gecko Trading Company Inc. )  
Registration No.: 1,510,173 )  
Registration Date: 10/25/88 )  
Mark : GECKO )

---

DECLARATION OF TINA FEIN IN SUPPORT OF  
CORPORATE NAME CORRECTION

NO FEE  
MS. CATHERINE R. HILL  
AFFIDAVIT/RENEWAL EXAMINER  
POST REGISTRATION DIVISION  
OFFICE OF TRADEMARK SERVICES  
ASSISTANT COMMISSIONER FOR TRADEMARKS  
2900 CRYSTAL DR  
ARLINGTON VA 22202-3513

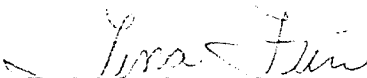
Dear Sir/Madam:

I, the undersigned, TINA FEIN, declare that I am the Vice President of GECKO TRADING COMPANY, INC., the owner of the above-identified trademark registration, and am authorized to execute this Declaration on behalf of said corporation; that the document enclosed herewith accurately indicates the correct name of Gecko Trading Company, Inc.; that Gecko Trading Company, the identified owner of Registration No. 1,510,173, is an incorrect reference to the name of the Applicant, Gecko Trading Company, Inc.; that the current owner of Registration No. 1,510,173 is Applicant, Gecko Trading Company, Inc.; that there has been no change of name of GECKO TRADING CO., INC. since the formation thereof on August 24, 1989; and further I declare that the facts set forth in this Declaration are true and all statements made of my own knowledge

are true and all statements made on information and belief are believed to be true; and further 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 application or document or any registration resulting therefrom.

GECKO TRADING COMPANY, INC.

Dated: 1-29-98

By:   
TINA FEIN

Title: Vice President

A S S I G N M E N T

WHEREAS, T.BEARS OF MAUI, a Hawaii Partnership, having a principal place of business at 3621 Baldwin Avenue, Makawao, Hawaii 96768, has adopted and used the mark GECKO for which they have filed an application and have obtained registration in the United States Patent and Trademark Office, United States Trademark Registration No. 1,512,691 Registered November 15, 1988 for GECKO;

WHEREAS, GECKO TRADING COMPANY, a Hawaii corporation, having a principal place of business at 3621 Baldwin Avenue, Makawao, Hawaii 96768, is desirous of obtaining the entire right, title, and interest in, to, and under the said mark.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, said T.BEARS OF MAUI has assigned and does hereby assign unto said GECKO TRADING COMPANY, a Hawaii corporation all right, title, and interest in and to said mark, together with the goodwill of the business symbolized by the mark.

IN TESTIMONY WHEREOF, T.BEARS OF MAUI hereunto sets its hand and seals this 20 day of August, 1990.

T.BEARS OF MAUI

By: Tina Fein  
TINA FEIN

State of Hawaii )  
County of MAUI ) ss:

On this 20 day of AUGUST, 1990, before me, a Notary Public in and for the State and County aforesaid, personally appeared TINA FEIN known to me, or proved to me on the basis of satisfactory evidence, to be the person of that name, who signed and sealed the foregoing instrument as Partner on behalf of the partnership therein named and acknowledged to me that the partnership executed it and acknowledged the same to be his/her free act and deed.

SEAL:

Waiyane Makewell  
Notary Public  
COMM. EXP. 4-27-91

TRADE-MARK

0734 100566

T. BEARS OF MAUI

By: Julie McCormick  
JULIE McCORMICK

State of Hawaii )  
County of MAUI ) ss:  
)

On this 20 day of AUGUST, 1990, before me, a Notary Public in and for the State and County aforesaid, personally appeared JULIE McCORMICK known to me, or proved to me on the basis of satisfactory evidence, to be the person of that name, who signed and sealed the foregoing instrument as Partner on behalf of the partnership therein named and acknowledged to me that the partnership executed it and acknowledged the same to be his/her free act and deed.

SEAL:

Margaret W. W. W.  
Notary Public  
COM. EXP. 4-27-91

TRADE-MARK

IL 0734 FRAM 567

Case TBEAR-002T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Owner : Gecko Trading Company Inc. )  
Registration No.: 1,512,691 )  
Registration Date: 11/15/88 )  
Mark : GECKO )

---

DECLARATION OF TINA FEIN IN SUPPORT OF  
CORPORATE NAME CORRECTION

NO FEE  
MS. CATHERINE R. HILL  
AFFIDAVIT/RENEWAL EXAMINER  
POST REGISTRATION DIVISION  
OFFICE OF TRADEMARK SERVICES  
ASSISTANT COMMISSIONER FOR TRADEMARKS  
2900 CRYSTAL DR  
ARLINGTON VA 22202-3513

Dear Sir/Madam:

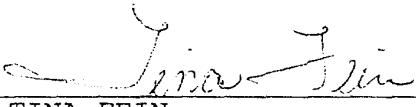
I, the undersigned, TINA FEIN, declare that I am the Vice President of GECKO TRADING COMPANY, INC., the owner of the above-identified trademark registration, and am authorized to execute this Declaration on behalf of said corporation; that the document enclosed herewith accurately indicates the correct name of Gecko Trading Company, Inc.; that Gecko Trading Company, the identified owner of Registration No. 1,512,691, is an incorrect reference to the name of the Applicant, Gecko Trading Company, Inc.; that the current owner of Registration No. 1,512,691 is Applicant, Gecko Trading Company, Inc.; that there has been no change of name of GECKO TRADING COMPANY, INC. since the formation thereof on August 24, 1989; and further I declare that the facts set forth in this Declaration are true and all statements made of my own knowledge



are true and all statements made on information and belief are believed to be true; and further 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 application or document or any registration resulting therefrom.

GECKO TRADING COMPANY, INC.

Dated: 1-29-98

By:   
TINA FEIN

Title: Vice President

A S S I G N M E N T

WHEREAS, GECKO TRADING COMPANY, a Hawaii Partnership, doing business as T.Bears of Maui, having a principal place of business at 3621 Baldwin Avenue, Makawao, Hawaii 96768, has adopted and used the mark MAUI GECKO for which they have filed an application and have obtained registration in the United States Patent and Trademark Office, United States Trademark Registration No. 1,514,657 Registered November 29, 1988 for MAUI GECKO;

WHEREAS, GECKO TRADING COMPANY, a Hawaii corporation, having a principal place of business at 3621 Baldwin Avenue, Makawao, Hawaii 96768, is desirous of obtaining the entire right, title, and interest in, to, and under the said mark.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, said GECKO TRADING COMPANY has assigned and does hereby assign unto said GECKO TRADING COMPANY, a Hawaii corporation all right, title, and interest in and to said mark, together with the goodwill of the business symbolized by the mark.

IN TESTIMONY WHEREOF, GECKO TRADING COMPANY hereunto sets its hand and seals this 20 day of August, 1990.

GECKO TRADING COMPANY

By:

Tina Fein  
TINA FEIN

TRADE-MARK

737 11/14/96

State of Hawaii )  
County of MAUI ) ss:

On this 20 day of AUGUST, 1990, before me, a Notary Public in and for the State and County aforesaid, personally appeared TINA FEIN known to me, or proved to me on the basis of satisfactory evidence, to be the person of that name, who signed and sealed the foregoing instrument as Partner on behalf of the partnership therein named and acknowledged to me that the partnership executed it and acknowledged the same to be his/her free act and deed.

SEAL:

Maizue Kishida  
Notary Public  
COM. M. EXP. 4-27-91

GECKO TRADING COMPANY

By: Julie A. McCormick  
JULIE McCORMICK

State of Hawaii )  
County of MAUI ) ss:

On this 20 day of AUGUST, 1990, before me, a Notary Public in and for the State and County aforesaid, personally appeared JULIE McCORMICK known to me, or proved to me on the basis of satisfactory evidence, to be the person of that name, who signed and sealed the foregoing instrument as Partner on behalf of the partnership therein named and acknowledged to me that the partnership executed it and acknowledged the same to be his/her free act and deed.

SEAL:

Maipine Maxwell  
Notary Public  
COMM. EXP. 4-27-91

RECORDED  
PATENT AND TRADEMARK  
OFFICE

SEP - 4 1990

REEL 0737 FRAME 97  
TRADE-MARK

Case TBEAR-004T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Owner : Gecko Trading Company Inc. )  
 )  
Registration No.: 1,514,657 )  
 )  
Registration Date: 11/29/88 )  
 )  
Mark : MAUI GECKO )  
 )

---

DECLARATION OF TINA FEIN IN SUPPORT OF  
CORPORATE NAME CORRECTION

NO FEE  
MS. CATHERINE R. HILL  
AFFIDAVIT/RENEWAL EXAMINER  
POST REGISTRATION DIVISION  
OFFICE OF TRADEMARK SERVICES  
ASSISTANT COMMISSIONER FOR TRADEMARKS  
2900 CRYSTAL DR  
ARLINGTON VA 22202-3513

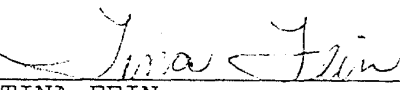
Dear Sir/Madam:

I, the undersigned, TINA FEIN, declare that I am the Vice President of GECKO TRADING COMPANY, INC., the owner of the above-identified trademark registration, and am authorized to execute this Declaration on behalf of said corporation; that the document enclosed herewith accurately indicates the correct name of Gecko Trading Company, Inc.; that Gecko Trading Company, the identified owner of Registration No. 1,514,657, is an incorrect reference to the name of the Applicant, Gecko Trading Company, Inc.; that the current owner of Registration No. 1,514,657 is Applicant, Gecko Trading Company, Inc.; that there has been no change of name of GECKO TRADING COMPANY, INC. since the formation thereof on August 24, 1989; and further I declare that the facts set forth in this Declaration are true and all statements made of my own knowledge

are true and all statements made on information and belief are believed to be true; and further 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 application or document or any registration resulting therefrom.

GECKO TRADING COMPANY, INC.

Dated: 1-29-98

By:   
TINA FEIN

Title: Vice President

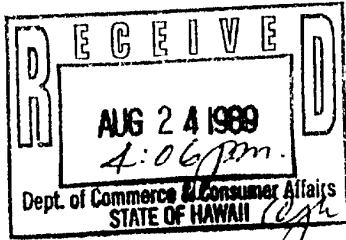
**SPECIAL HANDLING**

*ADD*

Filing Fee - \$50  
Certified copy, if desired:  
\$10 plus 25c per page  
Dishonored Check - \$7.50

State of Hawaii  
**DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**  
Business Registration Division  
1010 Richards Street  
Mailing Address: P. O. Box 40, Honolulu, HI 96810

DOMESTIC PROFIT



**ARTICLES OF INCORPORATION**

(Section 415-54, Hawaii Revised Statutes)

DATE ID T SEQ# FILE# TRAN#  
89/09/14 SYT 3 5 -LINE 4-4872  
TOTAL AMOUNT \$ 90.00  
ART/SH-7662001

The undersigned, desiring to form a corporation under the laws of the State of Hawaii, do hereby execute the following Articles of Incorporation:



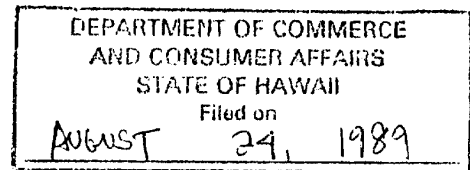
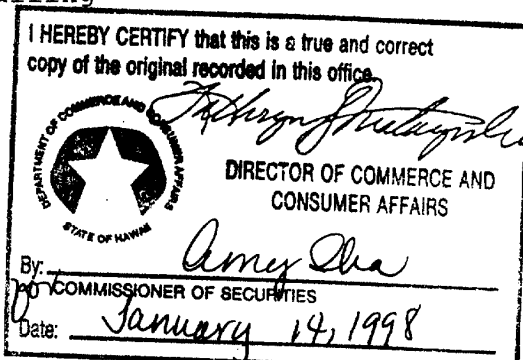
I  
The name of the corporation shall be: **GECKO TRADING COMPANY, INC.**

II  
The mailing address of the initial or principal office of the corporation is: **3621 Baldwin Ave. (Box 1650) Makawao, HI 96768**

III  
The period of its duration is perpetual.

IV  
Section 1. The primary specific purpose(s) for which this corporation is organized is the following:

- (a) Wholesaling
- b) Retailing



(c) The transaction of any or all lawful business for which corporations may be incorporated under Chapter 415, Hawaii Revised Statutes.

Section 2. And in furtherance of said purposes, the corporation shall have all powers, rights, privileges and immunities, and shall be subject to all of the liabilities conferred or imposed by law upon corporations of this nature, and shall be subject to and have all the benefits of all general laws with respect to corporations.



V

Provisions granting preemptive rights are:

The Board of Directors is authorized subject to the pre-emptive rights of the holders of common stock of the corporation as set forth in the following paragraph:

To determine the consideration and terms and conditions upon which additional shares of stock with or without par value maybe issued and what portion of such consideration shall constitute capital and what portion if any paid in surplus, subject to the applicable provisions of these articles and of law.

In case of any increase of the capital stock of the corporation and the issuance of new shares, therefore, or the issuance of any obligation or securities convertible into shares of capital stock (unless the same shall be issued or sold or granted in connection with the acquisition of the property or of substantially the entire assets of a going business or in connection with a merger or consolidation) such new shares, obligations or securities shall, unless otherwise provided, by the vote of the holders of not less than 2/3 (two-thirds) of the shares of stock issued and outstanding and entitled to vote before being sold or offered to others be offered to the holders of the shares of stock of the corporation as the date of issuance as shown by the stock books of the corporation upon such terms (which terms shall not be less favorable than the terms upon which said shares are thereafter sold to others) as shall be determined by the Board of Directors(s) in proportion to the shares of common stock respectively held by such stockholder(s) at such date.

TRADEMARK

REEL: 1732 FRAME: 0418

3,

VI

Section 1. The officers of the corporation shall be a president, one or more vice presidents, a secretary and a treasurer, who shall be appointed by the Board of Directors as shall be prescribed by the By-Laws.

Section 2. The number of directors constituting the initial Board of Directors is 2, who need not be shareholders, except as may otherwise be provided by the By-Laws.

Section 3. All the powers and authority of the corporation shall be vested in and may be exercised by the Board of Directors except as otherwise provided by law, these Articles of Incorporation or the By-Laws of the corporation.

VII

The following individuals are the first officers and directors of the corporation:

<u>Name and Office Held</u>	<u>Residence Address</u>
Tina Fein - President	214 Holomakani Drive Kula, Maui, HI 96790
Julie A. Bearman - Secretary/Treas.	563 D Piipolo Road Makawao, HI 96768

VIII

The aggregate number of shares which the corporation shall have authority to issue:

CLASS/SERIES	NUMBER OF SHARES
Common	1,000



IX

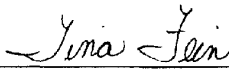
<u>Names of Subscribers</u>	<u>Number of Shares Subscribed For By Each Subscriber</u>	<u>Subscription Price For the Shares Subscribed For By Each Subscriber</u>	<u>Amount of Capital Paid In Cash By Each Subscriber</u>
Tina Fein	500	\$ 500	\$ 500
Julie A. Bearman	500	\$ 500	\$ 500

We certify under the penalties of Section 415-136, Hawaii Revised Statutes, that we have read the above statements and that the same are true and correct.

Witness our hands this 5<sup>th</sup> day of July, 19 89.

Tina Fein

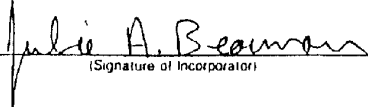
\_\_\_\_\_  
(Type/Print Name of Incorporator)



\_\_\_\_\_  
(Signature of Incorporator)

Julie A. Bearman

\_\_\_\_\_  
(Type/Print Name of Incorporator)



\_\_\_\_\_  
(Signature of Incorporator)

\_\_\_\_\_  
(Type/Print Name of Incorporator)

\_\_\_\_\_  
(Signature of Incorporator)

LAW OFFICES

**Stetina Brunda Garred & Brucker**

A PROFESSIONAL CORPORATION

PATENT, TRADEMARK, COPYRIGHT AND UNFAIR COMPETITION CAUSES

24221 CALLE DE LA LOUISA  
4TH FLOOR  
LAGUNA HILLS, CALIFORNIA 92653-7602

- KIT M. STETINA
- BRUCE B. BRUNDA
- NORMAN E. CARTE
- WILLIAM J. BRUCKER
- MARK B. GARRED
- MATTHEW A. NEWBOLES
- THOMAS C. NABER
- DARREN S. RIMER
- ERIC L. TANEZAKI
- ERIC K. PROUL

TELEPHONE (949) 855-1246  
 FACSIMILE I (949) 855-6371  
 FACSIMILE II (949) 855-8986  
 E-MAIL: [INSERT NAME]@  
 STETINALAW.COM

RECORDED: 05/18/1998

May 14, 1998

TRADEMARK

REEL: 1732 FRAME: 0420

BOX ASSIGNMENT