MRD 6-19-98 IE

FORM PTO-1594 (Modified)
(Rev 6-93)
OMB No. 0651-0011 (exp 4/94)
Copyright 1994 Legalsoft
TM05/REV01

06-26-1998

100747257

HEET

LY

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Tab settings ➔ ➔ ➔ ▼ ▼ ▼ ▼

To the Honorable Commissioner of P ... record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Jason L. Duncan, dba Enzo Racing Company
201 East Fourth Street, No. 246
Austin, TX 78701

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

Additional names(s) of conveying party(ies) ☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: **Marathon Corporation**

Internal Address: **Thomas E. Jernigan, Jr.**

Street Address: **2100-A Southbridge Parkway, Suite 580**

City: **Birmingham,** State: **AL** ZIP: **35209**

☐ Individual(s) citizenship
☐ Association
☐ General Partnership
☐ Limited Partnership
☒ Corporation-State **Alabama**
☐ Other

If assignee is not domiciled in the United States, a domestic designation is ☐ Yes ☐ N
(Designations must be a separate document from
Additional name(s) & address(es) ☐ Yes ☒ N

3. Nature of conveyance:

☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Execution Date: **March 9, 1998**

4. Application number(s) or registration numbers(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

1,956,266

Additional numbers ☐ Yes ☒ No

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

Name: **Robert J. Veal**

Internal Address: **VEAL & ASSOCIATES**

Street Address: **200 Cahaba Park Circle**

City: **Birmingham** State: **AL** ZIP: **35242**

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

7. Total fee (37 CFR 3.41):.....$previously submitted

☐ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

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.

Robert J. Veal 6.16.98

Name of Person Signing Signature Date

Total number of pages including cover sheet, attachments, and

TRADEMARK
REEL: 1745 FRAME: 0271

ASSIGNMENT OF TRADEMARK

WHEREAS, Jason L. Duncan, dba Enzo Racing Company, ("Duncan") of 201 East Fourth Street, No. 246, Austin, Texas 78701 is the owner of the mark Maratona and U.S. Trademark Registration No. 1,956,266; and

WHEREAS, Marathon Corporation, dba Marathon Apparel of 2100 SouthBridge Parkway, Suite 580, Birmingham, Alabama, an Alabama corporation ("Marathon"), is desirous of acquiring the entire interest of Duncan in and to the "Maratona" trademark;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, DUNCAN, by these presents does sell, assign and transfer unto the said MARATHON all of his rights, title and interest in and to the said trademark described above, together with the goodwill of the business symbolized by said trademark and registration thereof, the same to be held and enjoyed by the said MARATHON, for its own use and benefit and that of its successors, assigns and legal representatives, to the full end of the term for which said trademark is granted, as fully and entirely as the same would have been held had this assignment and sale not been made, together with all claims for damages by reason of past infringement of said trademark, with the right to sue for and collect the same for its own use and for the use of its successors, assigns or other legal representatives, subject to the rights of any licensees under any existing license agreements to which DUNCAN is a party or to the obligations under which MARATHON may have succeeded or to which its right in said trademarks is subject and subject further to any obligations to said licensees which DUNCAN may have, each of said license agreements being attached hereto and made a part of this agreement; and said DUNCAN does hereby covenant and agree with the said MARATHON to execute and deliver such other and further instruments and take such other and further actions as may be necessary or appropriate to transfer said trademark, claims for damages by reason of past infringement and right to sue and collect therefor to MARATHON.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed at Austin, Texas as of this 9th day of March, 1998.

JASON L. DUNCAN, dba Enzo Racing Company

STATE OF TEXAS)
)
COUNTY OF TRAVIS)

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that Jason L. Duncan signed to the foregoing instrument and acknowledged before me on this day that, being informed of the contents of the within instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 9th day of March, 1998.

DAVID VEGA
MY COMMISSION EXPIRES
SEPTEMBER 28 1998

Notary Public

My commission expires 9-28-98

(NOTARIAL SEAL)