

10-08-1998

SHEET U.S. DEPARTMENT OF COMMERCE  
-Y Patent and Trademark Office



100845701

ached original documents or copy thereof.

To the Honorable Commissioner of Pat

1. Name of conveying party(ies):  
 Sam B. Bonham

(X) Individual  
 ( ) Association  
 ( ) General Partnership  
 ( ) Limited Partnership  
 ( ) Corporation State: Delaware  
 ( ) Other

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

3. Nature of conveyance: **MAD 10.1.98**

( ) Assignment  
 ( ) Merger  
 ( ) Security Agreement  
 ( ) Change of Name  
 (X) Other - Transfer by bequest

Execution Date: April 27, 1989, date of decedent's death

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

**DISCOT-1 PM 2:30**  
**COPY/FINANCE**

Name: Mary L. Bonham  
 Internal Address:  
 Street Address: 1130 Como street  
 City: Sulphur Springs State: TX ZIP: 75483

(X) Individual(s) Citizenship: U.S.  
 ( ) Association:  
 ( ) General Partnership:  
 ( ) Limited Partnership:  
 ( ) Corporation State:  
 ( ) 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 (X) No

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

A. Trademark Application No.(s)

B. Trademark registration No.(s)

Registration No. 1,105,838

Additional numbers attached? ( ) Yes (X) No

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

Name: Charles S. Cotropia  
 Internal Address:  
 Street Address: 717 N. Harwood  
 Suite 3400  
 City: Dallas State: Texas ZIP: 75201

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41).....\$40.00 **E**  
 (X) Enclosed  
 (X) Authorized to be charged to deposit account  
 Account Number 18-1260

8. Deposit account number: 18-1260

(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.*

Charles S. Cotropia  
 Name of Person Signing

Signature

September 28, 1998  
 Date

Total number of pages comprising cover sheet: 1

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

Our Ref: 10367/1501 Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

10/07/1998 TTOM11 00000169 1105838  
 01 FC:481 40.00 DP

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 Washington, D.C. 20231

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503.

LAST WILL AND TESTAMENT  
OF  
SAMUEL B. BONHAM

1955 MAY -9 PM 4:30  
HOPKINS COUNTY TEXAS

STATE OF TEXAS X  
COUNTY OF HOPKINS X KNOW ALL MEN BY THESE PRESENTS:  
X

That I, SAMUEL B. BONHAM, of the County of Hopkins, State of Texas, being of sound and disposing mind and memory, do hereby make, publish and declare this and this only to be my Last Will and Testament, hereby revoking any prior wills at any time heretofore made by me.

TRADE-MARK

REEL 0747 FRAME 68

ARTICLE I  
PAYMENT OF LEGAL OBLIGATIONS AND TAXES

It is my will and desire and I direct that all my just debts, funeral expenses and costs of administration and all federal and state estate, inheritance or succession taxes, levied against my estate, whether passing under my will, by life insurance contract or otherwise, be paid in full out of my Residuary Estate as soon as practicable after my death.

ARTICLE II  
GIFT OF PERSONAL EFFECTS

I give, devise and bequeath to my wife, MARY L. BONHAM, if she survives me, all of my personal jewelry and articles of personal use and all of my interest in household goods, furniture, art objects, automobiles, boats and all other items of tangible personal property, subject to any indebtedness thereon. If my wife, MARY L. BONHAM does not survive me, all of my personal effects shall be added to my Residuary Estate.

ARTICLE III  
GIFT OF RESIDENCE

I give to my wife, MARY L. BONHAM, if she survives me, all of my right, title and interest in and to any real property and improvements occupied by us at my death as our principal Residence (herein so called), subject to any mortgage lien indebtedness existing against the Residence at my death. If my wife, MARY L. BONHAM does not survive me, my interest in the

TRADEMARK  
REEL: 1796 FRAME: 0527

Residence shall be added to my Residuary Estate.

ARTICLE IV  
CREDIT SHELTER TRUST

Exemption Equivalent Gift. If my daughter, RHONDA SHING survives me, I give to the Trustee hereinafter named a pecuniary amount (referred to herein as the "Exemption Equivalent Gift") composed of assets selected by my Executrix having a value equal to the amount which, if it were my taxable estate for federal estate tax purposes, would result (taking into account my adjusted taxable gifts for such tax purposes, if any) in the imposition of a federal estate tax equal to the federal estate tax unified credit available to my estate, reduced by (A) the value of all assets in my gross estate for federal estate tax purposes which pass or have passed to or for the benefit of any person otherwise than pursuant to the terms of this Article and which do not qualify for the federal estate tax marital deduction or federal estate tax charitable deduction, and (B) the amount of any death taxes (including interest and penalties thereon) payable by reason of my death to any jurisdiction other than the federal government of the United States of America (but only to the extent such reduction does not increase the amount of such death taxes payable as a result of my death).

If my daughter, RHONDA SHING is living upon the expiration of sixty (60) days after my death, my Executrix shall first allocate to the Exemption Equivalent Gift assets for which a federal estate tax marital deduction is not allowable. The rest of the Exemption Equivalent Gift may be satisfied in cash or in kind, or in both. Assets allocated in kind in satisfaction of the Exemption Equivalent Gift shall be valued at their values on the date(s) of allocation to the Exemption Equivalent Gift. To the extent other assets are available, the Exemption Equivalent Gift shall not be satisfied with assets that constitute items of gross income in respect of a decedent for purposes of section 691 of the Internal Revenue Code.

The Trustee shall hold and administer the Exemption Equivalent Gift as a separate trust (sometimes referred to as this will as the "Credit Shelter Trust") pursuant to the Credit

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Shelter Trust Section of this Article.

Credit Shelter Trust. The Credit Shelter Trust shall be administered and distributed as follows:

(a) Net Income. The Trustee shall pay to my daughter, RHONDA SHING, as much of the net income from the Credit Shelter Trust as the Trustee considers appropriate to provide for her health, support, and maintenance, in her accustomed standard of living. Undistributed net income shall be accumulated and added to principal annually.

(b) Principal Invasion. If my daughter, RHONDA SHING shall have a need or needs relating to her health, support, or maintenance and if all other financial resources known by the Trustee to be reasonably available to her are insufficient to provide for those needs, the Trustee may pay to my daughter, RHONDA SHING, as much of the principal of the Credit Shelter Trust as the Trustee considers appropriate to meet those needs.

(c) Factors Considered in Making Distributions. In making decisions concerning discretionary distributions of net income and principal under the preceding provisions of this Article, the Trustee shall take into account the following factors:

(i) my desire that my daughter, RHONDA SHING be considered the primary beneficiary and that the interests of all others be considered secondary; and

(ii) my direction that the Trustee normally make no distributions to my daughter, RHONDA SHING from Credit Shelter Trust principal until the other assets of my daughter, RHONDA SHING, have been fully consumed, unless, in the Trustee's sole opinion, distributions from the Credit Shelter Trust principal to my daughter, RHONDA SHING are for any reason necessary or appropriate.

(d) Termination. The Credit Shelter Trust shall terminate when my daughter, RHONDA SHING reaches the age of fifty (50) years and the corpus of the trust and any undistributed income shall be distributed to the Remainder Devisee.

(e) Remainder Devisee. The Remainder Devisee as used herein shall refer to and shall be my daughter, RHONDA SHING.

(f) Daughter Not Surviving. If my daughter, RHONDA

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REEL 0747 FRAME 570

JL

SHING does not survive me, the Exemption Equivalent Gift shall lapse and fail and be added to my Residuary Estate.

ARTICLE V  
APPOINTMENT OF TRUSTEE

I appoint my wife, MARY L. BONHAM as Trustee of the Credit Shelter Trust created hereunder. If my wife, MARY L. BONHAM is unable to serve as Trustee, then and only in that event, I appoint my daughter, RHONDA SHING as Trustee of the Credit Shelter Trust created hereunder. The Trustee appointed hereunder shall serve without compensation and no Trustee shall be required to furnish bond or other security. No Trustee shall be required to qualify before, be appointed by, or, in the absence of a breach of trust, account to any court, or to obtain the order or approval of any court in the exercise of any power or discretion.

ARTICLE VI  
GIFT OF RESIDUARY ESTATE

All the rest, residue and remainder of my estate, whether real or personal, and wheresoever situated and howsoever acquired, I give, devise and bequeath unto my wife, MARY L. BONHAM if she survives me by sixty (60) days, in fee simple, forever.

If my wife, MARY L. BONHAM does not survive me by sixty (60) days, then and in that event, I give, devise and bequeath said Residuary Estate to my daughter, RHONDA SHING, in fee simple, per stirpes.

ARTICLE VII  
EXECUTRIX

I nominate and appoint my wife, MARY L. BONHAM as Independent Executrix of this my Last Will and Testament and direct that no bond or other security ever be required of her as such Executrix hereunder and I direct that no action be had in the probate court in the administration of my estate other than the probating of this Will and the return of an inventory and list of claims as required by law. If my wife, MARY L. BONHAM is unable or unwilling to serve or to continue to serve as Independent Executrix, then I appoint my daughter, RHONDA

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REEL: 1796 FRAME: 0530

SHING to serve as Independent Executrix and direct that no bond or other security ever be required of her as such Executrix hereunder and he shall have all rights and privileges as the Executrix succeeded. During which administration said Executrix is hereby authorized and empowered to sell, dispose of, partition, deliver and convey any portion of my estate, real and personal, at public or private sale, for any price, on any terms, and in any manner that may seem to her best for the purpose of paying any of my debts, expenses or transfer taxes by reason of my death and distributing the assets as herein directed.

ARTICLE VIII  
BOND

I direct that no bond or other security shall be required, in any jurisdiction, of any person named in this Will as Executrix or Trustee.

IN TESTIMONY WHEREOF, I have hereunto subscribed and signed this Will, which is typewritten on five (5) sheets of paper, on this the 26 day of September, 1987, and have also written my name on the margin of the first four (4) pages hereof.

Sam Bonham  
SAMUEL B. BONHAM

On the 26<sup>th</sup> day of September, 1987, SAMUEL B. BONHAM declared to us, the undersigned, that the foregoing instrument is his Last Will and Testament, and he requested us to act as witnesses to it and to his signature thereon. He then signed the Will in our presence, we being present at the same time. We now, at his request, in his presence, and in the presence of each other, hereunto subscribe our names as witnesses, and each of us declare that in his or her opinion, this Testator is of sound and disposing mind and memory.

[Signature]  
WITNESS

Sulphur Springs, Texas

[Signature]  
WITNESS

Sulphur Springs, Texas

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TRADEMARK

SELF-PROVING AFFIDAVIT

STATE OF TEXAS X  
COUNTY OF HOPKINS X

BEFORE ME, the undersigned authority, on this day personally appeared SAMUEL B. BONHAM, Paul Anderson and Bill Wood, known to me to be the Testator and witnesses, respectively, whose names are subscribed to the annexed and foregoing instrument in their respective capacities and all of said persons being by me duly sworn, SAMUEL B. BONHAM, the said Testator declared to me and to the witnesses, in my presence, that said instrument is his Last Will and Testament, and that he had willingly made and executed it as his free act and deed for the purposes therein expressed; and the said witnesses, each on his or her oath, stated to me in the presence and hearing of the said SAMUEL B. BONHAM, the said Testator had declared to them that said instrument is his Last Will and Testament and that he had executed the same as such and wanted each of them to sign it as a witness; and upon their oaths, each witness stated further that they did sign the same as witnesses in the presence of said Testator and at his request; that the said Testator was at that time over-eighteen (18) years of age and was of sound mind, and that each of the said witnesses was then at least fourteen (14) years of age.

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Sam Bonham  
SAMUEL B. BONHAM

Paul Anderson  
WITNESS

RECORDED  
PATENT AND TRADEMARK  
OFFICE

OCT 12 1990

Bill Wood  
WITNESS

SUBSCRIBED AND ACKNOWLEDGED BEFORE ME BY THE SAID SAMUEL B. BONHAM AND SUBSCRIBED AND SWORN TO BEFORE ME BY THE SAID Paul Anderson AND Bill Wood ON THIS THE 16<sup>th</sup> DAY OF September, 1987.

A. H. Lencer

TRADEMARK  
REEL: 1796 FRAME: 0532

NO. 11,019

FILED FOR RECORD  
HOPKINS COUNTY, TEXAS

1989 MAY -9 PM 4:30

IN RE: ESTATE OF X  
SAMUEL B. BONHAM, X  
DECEASED X

IN THE COUNTY COURT  
HOPKINS COUNTY, TEXAS  
IN MATTERS OF PROBATE

**APPLICATION FOR PROBATE OF WILL PRODUCED  
IN COURT AND FOR LETTERS TESTAMENTARY**

MARY L. BONHAM, Applicant, for purpose of probating the written Will of SAMUEL B. BONHAM, deceased, and furnishes the following information to the Court.

**I**

Applicant has an interest in this estate and is an individual domiciled and residing at Shirley, Hopkins County, Texas.

**II**

Decedent died on Thursday, April 27, 1989, in Sulphur Springs, Hopkins County, Texas, at the age of seventy-seven (77) years.

**III**

This Court has jurisdiction and venue because Decedent was domiciled and had a fixed place of residence in this county at the time of death.

**IV**

Decedent owned real and personal property described generally as real property, stock, bank accounts, automobiles, clothing and personal effects, having a probable value of more than \$100,000.00.

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Decedent left a valid, unrevoked, written Will bearing Decedent's signature and dated September 26, 1987, which is filed with this Application.

VI

Decedent's Will named MARY L. BONHAM, whose residence address is Route 1, Shirley, Hopkins County, Texas, to serve without bond or other security as Independent Executrix.

VII

The subscribing witnesses to the Will and their present addresses are:

- PAUL ANDERSON - Sulphur Springs, Texas;
- BILL WOOD - Sulphur Springs, Texas.

VIII

There were no children born to Decedent after the making of the Will.

IX

The person named as Executrix in the Will is not disqualified by law from accepting letters.

X

Decedent was divorced from Zula Winifred Bonham on July 2, 1969, in Cause No. 16,305, filed in Hopkins County, Texas. Decedent was married to MARY L. SPENCER BONHAM, who survives.

XI

The names of the devisees and their relationship to the Decedent are as follows:

- 1.) MARY L. BONHAM, widow, Route 1, Shirley, Hopkins County, Texas, spouse; and
- 2.) RHONDA SHING, married, Route 4, Box 240-A, Sulphur Springs, Texas, daughter.

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KILL U / 4 / 1111111111

The Will was made self-proved in the manner prescribed by law.

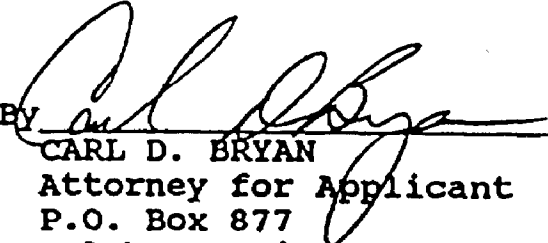
WHEREFORE, Applicant requests that citation be issued as required by law, that the Will be admitted to probate, that letters testamentary be issued to MARY L. BONHAM and that such other and further orders be made as the Court may deem proper.

Respectfully submitted,

POWERS & BRYAN, P.C.

TRADE-MARK

FILED 10/14/11

BY   
 CARL D. BRYAN  
 Attorney for Applicant  
 P.O. Box 877  
 Sulphur Springs, Texas 75482  
 (214) 885-6506  
 Bar No. 03263500

No. 11,019

# Letters Testamentary

**The State of Texas**  
County of Hopkins

**IN COUNTY COURT,**  
Hopkins County, Texas

I, Mary Attlesey Clerk of the County Court of

Hopkins County, Texas, do hereby certify that on the 23rd

day of May A.D. 19 89 Mary L. Bonham

was duly granted by said Court Letters Testamentary of the Estate of

Samuel B. Bonham deceased

and that he qualified as such Executor of said Estate

on the 23rd day of May A.D. 19 89 as the law requires,

and that said appointment is still in full force and effect.

Witness my hand and seal of office at Sulphur Springs this

23rd day of May A.D. 19 89

Mary Attlesey Clerk

County Court Hopkins County, Texas

By Kim Keen Deputy  
(Kim Keen)

TRADE-MARK

HILL U / 4 / 1911 U 3 2

IN RE: ESTATE OF	X	IN THE COUNTY COURT
SAMUEL B. BONHAM,	X	HOPKINS COUNTY, TEXAS
DECEASED	X	IN MATTERS OF PROBATE

ORDER PROBATING WILL AND AUTHORIZING  
LETTERS TESTAMENTARY

On this day, came on to be heard the written application of MARY L. BONHAM to probate the Will of SAMUEL B. BONHAM, Deceased, and for letters testamentary. In support of the application, there was presented in open court the Will filed with the Court on May 9, 1989.

The Court, having heard the evidence and having reviewed the Will and the other papers on file in this cause, finds that all of the statements and allegations contained in the application are true.

The Court further finds that citation and notice as required by law were issued, served and returned in the manner and for the length of time required by law.

The Court further finds that it has jurisdiction and venue over this estate.

The Court further finds that at the time of executing the Will dated September 26, 1987, the Decedent was of sound mind and was at least eighteen (18) years of age, and that the instrument was executed with the formalities and solemnities and under the circumstances required by law to make it a valid Will, (and was self-proved in accordance with the Texas Probate Code,) and that no objection to or contest of the probate of the Will has been

TRADE-MARK

filed.

The Court further finds that SAMUEL B. BONHAM died at the age of seventy-seven (77) years on April 27, 1989, in Sulphur Springs, Hopkins County, Texas, that the Will was not revoked by the Decedent, that four (4) years have not elapsed since the death of the Decedent, that no child was born to or adopted by the Decedent after the making of the Will, and that the Decedent was not divorced after the making of the Will.

The Court further finds that MARY L. BONHAM was named as independent executrix in the Will, and is a resident of and domiciles in Hopkins County, Texas, and is not disqualified to serve as independent executrix under the Will.

The Court further finds that the Will is entitled to be admitted to probate and that the independent executor is entitled to the issuance of letters testamentary.

The Court further finds that the Will provides that no bond be required of the independent executrix and that no action be had in the probate court with respect to the estate of SAMUEL B. BONHAM, deceased, except to probate the Will and return and cause to be filed and approved an inventory, appraisement, and list of claims.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Will of SAMUEL B. BONHAM, dated September 26, 1987, and on file with the Court, be and it is hereby admitted to probate and record as the last Will of SAMUEL B. BONHAM, deceased, and that the Will, together with the application for probate and the testimony given in these proceedings, be recorded in the minutes of this Court.

IT IS FURTHER ORDERED that MARY L. BONHAM be and she is

TRADE-MARK

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hereby appointed as independent executrix of the estate of SAMUEL B. BONHAM, deceased, and that letters testamentary issue upon her taking the oath required by law, without the posting of any bond.

SIGNED for entry this the 21<sup>st</sup> day of May,  
1989.

Joe R. Royer  
JUDGE PRESIDING

TRADE-MARK

REEL 0747 FRAME 02

FILED FOR RECORD  
HOPKINS COUNTY TEXAS

MAY 23 1989

AT 9:55 A. M

MARY ATTLESEY  
COUNTY CLERK

BY \_\_\_\_\_ DEPUTY

NO. 11,019

IN RE: ESTATE OF  
SAMUEL B. BONHAM,  
DECEASED

X  
X  
X

IN THE COUNTY COURT  
HOPKINS COUNTY, TEXAS  
IN MATTERS OF PROBATE

OATH OF EXECUTRIX

I do solemnly swear that the writing which has been offered for probate is the last will of SAMUEL B. BONHAM, so far as I know or believe, and that I will well and truly perform all the duties of Executrix of that will of the Estate of SAMUEL B. BONHAM.

*Mary Bonham*  
\_\_\_\_\_  
MARY L. BONHAM

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REEL 0747 FRAMES 63

SUBSCRIBED AND SWORN to before me on this the 23<sup>rd</sup> day of

Mary, 1989.

MARY ATTLESEY  
CLERK OF THE COUNTY COURT  
OF HOPKINS COUNTY, TEXAS

FILED FOR RECORD  
HOPKINS COUNTY TEXAS

By *Debra Shirley*  
DEPUTY

MAY 23 1989

AT 9:55 A.M.

MARY ATTLESEY  
COUNTY CLERK

BY \_\_\_\_\_ DEPUTY

TRADEMARK  
REEL: 1796 FRAME: 0540

NO. 11,019

IN RE: ESTATE OF  
SAMUEL B. BONHAM,  
DECEASED

X  
X  
X

IN THE COUNTY COURT  
HOPKINS COUNTY, TEXAS  
IN MATTERS OF PROBATE

ORDER CLOSING INDEPENDENT  
ADMINISTRATION OF ESTATE

On this day, the Application To Close Independent Administration of the estate of SAMUEL B. BONHAM, Deceased, was heard by the Court. The Court, having heard the evidence finds that the estate has been fully administered; the statements contained in the Application are true; and there is no further need for an independent administration of the estate.

IT IS THEREFORE ORDERED that the administration of this estate be closed and that the independent executrix is hereby discharged.

SIGNED this the 26 day of February, 1990.

Joe Ryan  
JUDGE PRESIDING

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