

10-09-1998

ET

Docket No.:

Y

013575-166



100847753

Tab settings

To the Honorable Commissioner of Patents

attached original documents or copy thereof.

1. Name of conveying party(ies):

Evergreen Asset Management Corporation

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

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

3. Nature of conveyance:

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

Execution Date: August 28, 1998

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

Name: First Union Corporation

Internal Address: 3100 One First Union Center

Street Address: 301 South College Street

City: Charlotte, State: NC ZIP: 28288

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State North Carolina
- 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 registration numbers(s):

A. Trademark Application No.

74/714,062



09-14-1998

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #67

B. Trademark Registration No.(s)

2,091,416

Additional numbers attached? Yes No

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

Name: Karl S. Sawyer, Jr.

Internal Address: KENNEDY COVINGTON LOBDELL
& HICKMAN, LLP

Street Address: 4200 NationsBank Corporate Center
100 North Tryon Street

City: Charlotte, State: NC ZIP: 28202

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

2

7. Total fee (37 CFR 3.41):.....\$ \$65.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

10/08/1998 BNGUYEN 00000291 74714062

DO NOT USE THIS SPACE

01 FC:481 40.00 DP
02 FC:482 25.00 DP

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.

Karl S. Sawyer, Jr.

Name of Person Signing

Signature

September 10, 1998

Date

Total number of pages including cover sheet, attachments, and document:

3

TRADEMARK

REEL: 1797 FRAME: 0517


ASSIGNMENT

Whereas Evergreen Asset Management Corporation, a corporation organized and existing under the laws of the State of New York, with a principal office and place of business at 2500 Westchester Avenue, Purchase, New York 10577 (the "Assignor"), is the owner of U.S. Service Mark Application Serial No. 74/714,062, Filed August 10, 1995, for EVERGREEN; and ; U.S. Service Mark Registration No. 2,091,416, Dated August 26, 1997, for Evergreen Tree Design (the Marks); and

Whereas First Union Corporation, a corporation organized and existing under the laws of the State of North Carolina, (the "Assignee") with a principal office and place of business at One First Union Center, 301 South College Street (0630), Charlotte, North Carolina 28288-0630, is desirous of acquiring the said Marks;

Now, therefore, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, said Assignor does hereby assign unto the said Assignee the entire right, title and interest in and to the said Marks, together with the good will of the business symbolized by the Marks.

Assignor: **Evergreen Asset Management Corp.**



(SEAL)
Typed Name Charles Terribile
Title Sr. VP & Deputy General Counsel

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LIB: CH