

12-29-1998



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Docket No.:

T 96 453.030

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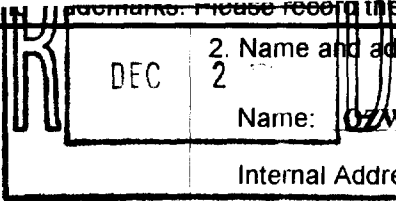
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To the Honorable Commissioner of Patents and Trademarks: Please refer to the attached original documents or copy thereof

1. Name of conveying party(ies):

OZWEST Imports, Inc.

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

Name: OZWEST, Inc.

Internal Address: 45853 NW Sell Road

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

Street Address: 45853 NW Sell Road
City **Banks** State: **OR** ZIP: 97106

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

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

3. Nature of conveyance:

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

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

Execution Date: **December 2, 1998**

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

A. Trademark Application No.(s)

75/216,627

B. Trademark Registration No.(s)

Additional numbers attached? Yes No

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

Name: **Garth Janke**

Internal Address: **900 SW Fifth Avenue, Suite 1925**

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41): \$ **\$40.00** E

- Enclosed
- Authorized to be charged to deposit account

Street Address: **900 SW Fifth Avenue, Suite 1925**

8. Deposit account number:

02-2451

City: **Portland** State: **OR** ZIP: **97204**

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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.

Garth Janke

Name of Person Signing

Signature

December 2, 1998

Date

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

2

CONFIRMATORY ASSIGNMENT

Whereas, Ozwest Imports, Inc. ("OZWEST IMPORTS"), whose address is 45853 NW Sell Road, Banks, Oregon, 97106, is the owner of the trademark ZING! (Stylized) and is the applicant in the U.S. trademark registration application filed December 20, 1996 as Serial No. 75/216,627 under Section 1(b) of the Trademark Act;

Whereas, Ozwest, Inc. ("OZWEST, INC."), whose address is 45853 NW Sell Road, Banks, Oregon, 97106, is a successor to the business of OZWEST IMPORTS to which said mark pertains wherein that business is ongoing and existing;

Whereas, OZWEST IMPORTS desires to assign its entire right, title and interest in and to said mark and said trademark registration application;

And, whereas OZWEST, INC. desires to acquire all of OZWEST IMPORTS' right, title and interest in and to said mark and said trademark registration application,

Now, this indenture witnesseth, that for the sum of one dollar (\$1.00), and other good and valuable consideration, the receipt whereof is hereby acknowledged;

OZWEST IMPORTS hereby assigns, effective as of October 1, 1998 *inter pro tunc*, to OZWEST, INC, its entire right, title and interest in and to said mark and said trademark registration application, including any divisions thereof, any registrations issuing therefrom and any renewals of said registrations (hereinafter "trademark rights");

OZWEST IMPORTS hereby authorizes and requests the Commissioner of Patents and Trademarks to issue any trademark registrations based on said trademark rights in the name of OZWEST, INC. as the owner of the whole right, title and interest thereto;

And OZWEST IMPORTS further agrees to execute all necessary and lawful documents in order to perfect title to said trademark rights in OZWEST, INC.;

Executed this 2nd day of December, 1998 at Banks, Oregon

Ozwest Imports, Inc.



Peter Cummings, President

assign. 030