

01-26-1999

Docket No.:

13575.141



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01-13-1999

To the Hon

U.S. Patent & TMO/TM Mail Rcpt Dt. #34

100948490

Attached original documents or copy thereof

1. Name of conveying party(ies):

Roney & Co.

MRO
1-13-99

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

Name: First Union Corporation

Internal Address: _____

Street Address: One First Union Center

City Charlotte State: NC ZIP 28202

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

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

If assignee is not domiciled in the United States, a domestic designation is Yes No
(Designations must be a separate document from Additional name(s) & address(es): Yes No

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

3. Nature of conveyance:

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

Execution Date: January 6, 1999

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

2,026,398

Additional numbers 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
L.L.P.

Street Address: 100 North Tryon Street, Suite 4200

City Charlotte State: NC ZIP: 28202

6. Total number of applications and registrations involved: 1

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

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

18-1215

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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.

Karl S. Sawyer, Jr.

Name of Person Signing

Karl Sawyer

Signature

Jan 11, 1999

Date

Total number of pages including cover sheet, attachments, and

3

TRADEMARK

REEL: 1843 FRAME: 0976

ASSIGNMENT OF TRADEMARK REGISTRATION

Whereas Roney & Co., a limited partnership organized under the laws of the State of Michigan, with a principal office and place of business at One Griswold Street, Detroit, Michigan 48226 (the "Assignor"), is the owner of the trademark (the "Mark") and the registration thereof (the "Registration") identified as follows:

United States Trademark Registration No. 2,026,398, Registered December 31, 1996, for CAP COMBINED ASSETS PROGRAM and Design

Whereas First Union Corporation a corporation organized and existing under the laws of the State of North Carolina, with a principal office and place of business at One First Union Center, Charlotte, North Carolina 28202 (the "Assignee"), is desirous of acquiring said Mark;

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 mark, together with the good will of the business symbolized by the Mark, and the above-identified Registration of the Mark; provided, however, that said Assignor hereby grants back to said Assignee a non-exclusive right and license to use said Mark until July 31, 1999, for financial services, namely, money market accounts, credit card services and securities brokerage services, not to exceed in nature, kind or geographical scope and Assignee's current subsisting use of said Mark.

Assignor: Roney & Co. Limited Partnership

Sharon L. Paul (SEAL)
Name: SHARON L. PAUL
Title: DIRECTOR OF OPERATIONS

State of Michigan)

County of Wayne)

On this 11th day of December, 1998, before me, a Notary Public, came Sharon L. Paul, to me known and known by me to be the individual described in and who executed the foregoing Assignment, and duly acknowledged the same to be his free act and deed.

Jude M. Lemus
Notary Public

My Commission Expires: JUDE M. LEMUS
Notary Public Wayne County, Michigan
My Commission Expires June 12, 1999

Assignee: First Union Corporation

Jack V. Cohen (SEAL)
Jack V. Cohen
Senior Vice President and
Assistant General Counsel

State of North Carolina)

County of Mecklenburg)

On this 6th day of January, 1999, before me, a Notary Public, came **Jack V. Cohen**, to me known and known by me to be the individual described in and who executed the foregoing Assignment, and duly acknowledged the same to be his free act and deed.

Edwin S. Hunt
Notary Public

My Commission Expires: 10/10/01