

05-05-1999



101028820

OMB No. 0851-0011 (exp. 4/94)

Tab settings

To the Honorable Commissioner of Patents

RE
CC 07-03-1997

IEET

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office



100452369

Send original documents or copy thereof.

481-40 482-1625

11-4-99

1. Name of conveying party(ies):

EARTH AND OCEAN SPORTS, INC.
70 AIRPORT ROAD
P.O. BOX "S"
MANNING, MASSACHUSETTS

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

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

3. Nature of conveyance:

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

Execution Date: MARCH 26, 1997

2. Name and address of receiving party(ies)

Name: JACKSON NATIONAL LIFE

Internal Address: C/O EPM AMERICA

Street Address: 225 WEST WACKER DRIVE, SUITE 1200

City: CHICAGO State: IL ZIP: 60601

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State
- Other MICHIGAN INSURANCE COMPANY

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 patent r

A. Trademark Application No.(s)

SEE ATTACHED SCHEDULE

02-17-1999

U.S. Patent & TMO's/TM Mail Rcpt Dt. #40

I. Trademark Registration No.(s)

SEE ATTACHED SCHEDULE

1,706,821

Additional numbers attached? Yes No

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

Name: JAMES J. GREENBERGER

Internal Address: SCHWARTZ, COOPER, GREENBERGER & KRAUSS, CHED.

Street Address: 180 NORTH LASALLE STREET, SUITE 2700

City: CHICAGO State: IL ZIP: 60601

6. Total number of applications and registrations involved: 66

7. Total fee (37 CFR 3.41).....\$ 1665.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

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

RECEIVED
JUL 9 1997
10:00 AM

07/10/1997 VERMONT 00000110 1706821
01 FC-401
02 FC-402

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.

JAMES J. GREENBERGER

Name of Person Signing

James J. Greenberger
Signature

APRIL 1, 1997

Date

Total number of pages including cover sheet, attachments, and documents: 6

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments

TRADEMARK
REEL: 1613 FRAME: 1886
TRADEMARK
REEL: 1886 FRAME: 0272

US Registered Trademarks
3-Feb-97

Trademark	Registration #	Date Issued	Serial #	Date Filed	Comments
BZ	1,512,876	11/15/88			
Z-Lite	1,670,252	12/31/91			
Pro Tach	1,603,881	6/26/90			
Surf Animals	1,541,704	5/30/89			
Surf A-Tach	1,601,041	6/12/90			
Tach II	1,599,699	6/5/90			
Mahimahi	1,708,420	8/18/92			
Mano	1,708,419	8/18/92			
Popoki	1,708,392	8/18/92			
Bump R Ride	1,725,948	10/20/92			
Bump R Ride & Design	1,288,020	7/31/84			
Cent R Pede	1,696,243	6/23/92			
Bump R Slick	1,597,342	5/22/90			
Flip Float	1,334,511	5/7/86			
Scumball	1,439,186	5/12/87			
Scumball & Character	1,469,814	12/22/87			
Metamorface	1,564,722	11/7/89			
Stupid Hats	1,567,290	11/21/89			
Zoomerang	1,465,655	11/17/87			
Can U Canoe	1,704,801	8/4/92			
Diamond Rails	1,563,505	10/31/89			
Diamond Rails	1,745,915	1/12/93			
Diamond Dust	2,033,344		74/649,582		
Bump R Sling	1,711,905	9/1/92			
4 Rail Drive	1,718,368	9/22/92			
Fit Kick	1,713,911	9/8/92			
BZ Double Stripe	1,716,026	9/15/92			
SM & Design	1,713,888	9/8/92			
Tank U	1,706,957	8/11/92			
Wahini	1,713,912	9/8/92			
Shooter	1,713,926	9/8/92			
Big Bump R	1,722,163	10/6/92			
R Lite	1,725,947	10/20/92			
Scum Bloc	1,535,281	4/18/89			
Handi Mitt	1,694,445	6/16/92			
"Won't Crush Flat"	1,729,541	11/3/92			
Spring Cell	1,767,481	4/27/93			
Magenta Rail	1,741,464	12/22/92			
EOS	1,882,316	3/7/95			
Spiral					
LF Liquid Force & Design			74/659,909	4/5/95	

TRADEMARK
REEL: 1613 FRAME: 0920

TRADEMARK
REEL: 1886 FRAME: 0273

Trademarks	Registration #	Date Issued	Serial #	Date Filed	Comments
Planet 3	1,957,800	2/20/96			
Liquid Force Class 25			74/107,924	5/22/96	
Edu Blocs			74/339,723	12/14/92	ITU
Rainbow Design	1,796,456	10/5/93			
Rival	1,877,733	2/7/95			
Wavemaster			74/556,464	8/2/94	
Speed Tach	1,614,002	9/18/90			
Quadra Ride	1,280,826	6/5/84			
Action Traction	1,564,776	11/7/89			
All Terrain Vehicles	1,905,701	7/18/95			Cl. 25
All Terrain Vehicles	1,962,281	3/12/96			Cl. 28
ATV	1,926,580	10/10/95			Cl. 28
Attack			74/540,648	6/21/94	
A-Tach			74/724,239	8/29/95	
Ball Busters	1,843,742	7/5/94			
Heroes Only USA	1,896,710	5/13/95			
Team Madrid			74/722,567	8/29/95	
Trac Top	1,861,059	11/1/94			
Grip Sation	1,616,852				
Marble Design	1,872,100	1/3/95			
Q Sport			74/525,074	5/16/94	ITU
Scumbag	1,902,721	7/4/95			
Scum Stop R	1,934,484	11/7/95			
Scum Mitt	1,628,988	12/25/90			
Skimmer-Scum-Sock	1,772,397	5/18/93			
Slapz			74/453,958	11/3/93	

TRADEMARK
REEL: 1613 FRAME: 0921

TRADEMARK
REEL: 1886 FRAME: 0274

Trademark	Registration #	Date Issued	Appln. #	Date Filed	Comments
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Foreign Trademarks & Applications

A-Tach/Australia			577,684	5/5/92	
Bump-R-Ride/Canada				3/18/92	
BZ / Australia			540,087	3/10/92	
BZ / Brazil	812,417,445	1/16/90			
BZ / France	261,504	1/16/91			
BZ / Mexico	474,062	6/3/94			
BZ / Japan (ball)	2,676,595	1/29/94			
BZ / Venezuela	7254/91	Nov-93			
BZ / Uruguay	249664				
BZ / Argentina	1,826,433	Dec-92			
BZ / Japan Cl. 9			126364/1996	11/8/96	
BZ / Japan Cl. 14			126365/1996	11/8/96	
BZ / Japan Cl. 16			126366/1996	11/8/96	
BZ / Japan Cl. 24			126367/1996	11/8/96	
BZ / Japan Cl. 34			126368/1996	11/8/96	
BZ Double Stripe Aust.			565,459	10/17/91	
BZ Double Stripe France	1,706,821	Apr-92			
BZ Double Stripe Vene.	183252	6/24/92			
R-Lite Brazil	816,713,740	4/30/92			
R-Lite France	92/26NL	Sep-92			
R-Lite Japan	15413/1992	2/18/92			
R-Lite Portugal	280591	6/12/92			
Scumball Canada	373241	8/24/90			
Scumball France	1,465,977	9/10/87			
Scumball Char. Canada	366,582	3/16/90			
Scumball Char. France	1,528,037	9/29/87			
Great White Tipz Brazil	816,714,924	5/4/92			
Great White Tipz France	1,713,861	12/23/91			
Nymph			109,863/1996	9/27/96	
Suction			109,865/1996	9/27/96	
Squirt			109,865/1996	9/27/96	
Wave Master UK	1,581,417	6/28/94			
Wave Master France	94526188	6/24/94			
Liquid Force France			96/623706	5/2/96	
Liquid Force UK			2069509	4/23/96	
Liquid Force Australia			706982	4/22/96	
Liquid Force Swiss			03166/1996	5/2/96	
Liquid Force Italy			RM96C002831	6/21/96	
Liquid Force Japan			44489/1996	4/23/96 Cl. 25	
Liquid Force Japan			44490/1996	4/23/96 Cl. 28	

TRADEMARK
REEL: 1613 FRAME: 0922

TRADEMARK
REEL: 1886 FRAME: 0275

COLLATERAL ASSIGNMENT OF TRADEMARKS

This 26th day of March, 1997, Earth and Ocean Sports, Inc., a Massachusetts corporation ("*Assignor*"), with its principal place of business and mailing address at 70 Airport Road, P.O. Box "S", Hyannis, Massachusetts, in consideration for ten dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, grants to Jackson National Life Insurance Company, a Michigan insurance company, (together with its successors and assigns, "*Assignee*"), a continuing security interest in the following property:

(i) Each trademark, trademark registration and trademark application listed on **Schedule A** hereto, and all of the goodwill of the business connected with the use of, and symbolized by, each such trademark, trademark registration and trademark application; and

(ii) All proceeds of the foregoing, including without limitation any claim by Assignor against third parties for damages by reason of past, present or future infringement of any trademark or trademark registration listed in **Schedule A** hereto or by reason of injury to the goodwill associated with any such trademark or trademark registration or trademark license, in each case together with the right to sue for and collect said damages:

to secure performance of all Liabilities of Assignor as set out in that certain Intellectual Property Security Agreement dated as of March 26, 1997, by and between Assignor and Assignee (the "*Agreement*")

Assignor does hereby further acknowledge and affirm that the rights and remedies of Assignee with respect to the security interest in the trademarks, trademark registrations and trademark applications made and granted hereby are more fully set forth in the Agreement, the terms and provisions of which are incorporated by reference herein as if fully set forth herein.

All terms defined in the Agreement, whether by reference or otherwise, when used herein, shall have their respective meanings set forth therein, unless the context requires otherwise.

IN WITNESS WHEREOF, Assignor has caused this Collateral Assignment of Trademarks to be duly executed as of the date and year first written above.

ASSIGNOR:

**EARTH AND OCEAN SPORTS, INC., a
Massachusetts corporation**

By: *James Miller*
Title: President

ATTEST:

Thomas Young
Its Secretary (Clerk).

ASSIGNEE:

**JACKSON NATIONAL LIFE INSURANCE
COMPANY, a Michigan insurance company**

By: **PPM AMERICA, INC., a Delaware
corporation**

By: *William Theodore*
Title: Managing Director

RECORDED: 07/03/1997

TRADEMARK
REEL: 1613 FRAME: 0924

TRADEMARK
REEL: 1886 FRAME: 0277

A

cc: file

Dossan
9/20/94

GENERAL INFORMATION

SER NO 74/217697	REG NO 1708420	FIL DT 11/01/1991	REG DT 08/18/1992
EXAMINING ATTORNEY MILTON, PRISCILLA	LAW OFFICE 3	CHLO 83B LDCD 837	LOC DT 09/18/1998
MARK MAHIMAH		CHEM 68335 STAC 700	STA DT 08/18/1992
INT CL 028		DRAW 1	CLASS CT 01
US CL 022			REGISTER PRINCIPAL
GOODS/ SERVICES (028) - bodyboards and surfboards			AMDED TO
			MK TYPE TM
			ABAN DT
			CAN DT
OWNER Packaging Industries Group, Inc.			PUB DT 05/26/1992
			ASGN REC
OWNER Hyannis			TTAB PROCEEDING- NO
ADDRESS MASSACHUSETTS 02601			SEC 8 NO
			SEC 15 NO
			REPUB 12C NO
007 09/18/98 POST REG. ACTION MAILED SECT 8 & 15			1ST USE
006 06/23/98 COMBINED SECTION 8 & 15 AFFIDAVIT FILED			01/04/1990-028
005 08/18/92 REGISTERED-PRINCIPAL REGISTER			1ST USE COM
004 05/26/92 PUBLISHED FOR OPPOSITION			01/04/1990-028
003 04/24/92 NOTICE OF PUBLICATION			
002 01/21/92 APPROVED FOR PUB - PRINCIPAL REGISTER			
001 01/15/92 ASSIGNED TO EXAMINER NO. 069225			

C, R 1613 K 919

1905 - 6/30/94

6/30

SERIAL NUMBER: 742017697 DATE FILED : 11/01/1991
REGISTRATION NUMBER: 1708420 DATE REGISTERED: 08/18/1992

NUMBER OF PAGES: 004
MARK: MAHIMAH
REEL: 1012 FRAME: 0035 DATE RECORDED : 07/29/1993
REGISTRANT: Packaging Industries Group, Inc.

ASSIGNOR: PI, INC. DATE SIGNED : 07/13/1993
ADDRESS : DATE ACKNOWLEDG:
ENTITY : CORPORATION CITIZENSHIP: MASSACHUSETTS

ASSIGNEE: EARTH AND OCEAN SPORTS, INC.
ADDRESS : 70 AIRPORT ROAD
HYANNIS, MA 02601
ENTITY : CORPORATION CITIZENSHIP: MASSACHUSETTS
BRIEF: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

PRESS EXIT LINE TO CONTINUE.
FOR A NEW SEARCH ENTER TRANSACTION CODE AND SEARCH STRATEGY HERE: 09/22/98 15:51

REEL: 1886 FRAME: 0257 DATE RECORDED: 07/29/1993

REGISTRANT: Packaging Industries Group, Inc.

ASSIGNOR: PACKAGING INDUSTRIES GROUP, INC. DATE SIGNED: 07/13/1993

ADDRESS: 70 AIRPORT ROAD DATE ACKNOWLED: 07/13/1993

HYANNIS, MA 02601

ENTITY: CORPORATION CITIZENSHIP: DELAWARE

ASSIGNEE: PI, INC.

ADDRESS: 70 AIRPORT ROAD

HYANNIS, MA 02601

ENTITY: CORPORATION CITIZENSHIP: MASSACHUSETTS

BRIEF: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

PRESS (MIT LINE TO CONTINUE. ENTER 'P' HERE TO PAGE BACKWARDS:

FOR A NEW SEARCH ENTER TRANSACTION CODE AND SEARCH

09/22/98 15:52

STRATEGY HERE:

REEL: 1012 FRAME: 0265 DATE RECORDED : 07/29/1993
REGISTRANT: Packaging Industries Group, Inc.

ASSIGNOR: EARTH AND OCEAN SPORTS, INC. DATE SIGNED :07/13/1993
ADDRESS : DATE ACKNOWLD:
ENTITY : CORPORATION CITIZENSHIP: MASSACHUSETTS

ASSIGNEE: FIRST NATIONAL BANK OF BOSTON, THE
ADDRESS : 100 FEDERAL STREET
BOSTON, MA 02110
ENTITY : NATIONAL BANKING ASSOCIATION
CITIZENSHIP:
BRIEF: SECURITY INTEREST

PRESS XMIT LINE TO CONTINUE. ENTER 'P' HERE TO PAGE BACKWARDS:
FOR A NEW SEARCH ENTER TRANSACTION CODE AND SEARCH 09/22/98 15:52
STRATEGY HERE:

REEL: 1382 FRAME: 0361 DATE RECORDED : 08/15/1995
REGISTRANT: Packaging Industries Group, Inc.

ASSIGNOR: EARTH AND OCEAN SPORTS, INC. DATE SIGNED : 06/30/1995
ADDRESS : DATE ACKNOWLED:
ENTITY : CORPORATION CITIZENSHIP: MASSACHUSETTS

ASSIGNEE: FIRST NATIONAL BANK OF BOSTON, THE
ADDRESS : 100 FEDERAL STREET
BOSTON, MA 02110
ENTITY : BANKING ASSOCIATION
CITIZENSHIP:
BRIEF: TERMINATION LETTER

PRESS XMIT LINE TO CONTINUE. ENTER 'P' HERE TO PAGE BACKWARDS:
FOR A NEW SEARCH ENTER TRANSACTION CODE AND SEARCH 09/22/98 15:52
STRATEGY HERE:

REEL: 1389 FRAME: 0416 DATE RECORDED : 09/07/1995
REGISTRANT: Packaging Industries Group, Inc.

ASSIGNOR: EARTH AND OCEAN SPORTS, INC. DATE SIGNED : 06/29/1995
ADDRESS : DATE ACKNOWLED:
ENTITY : CORPORATION CITIZENSHIP: MASSACHUSETTS

ASSIGNEE: CITIZENS BANK OF MASSACHUSETTS
ADDRESS : 55 SUMMER STREET
BOSTON, MA 02110
ENTITY : CORPORATION CITIZENSHIP: MASSACHUSETTS
BRIEF: SECURITY INTEREST

PRESS XMIT LINE TO CONTINUE. ENTER 'P' HERE TO PAGE BACKWARDS:
FOR A NEW SEARCH ENTER TRANSACTION CODE AND SEARCH 09/22/98 15:52
STRATEGY HERE:

REEL: 1613 FRAME: 0919 DATE RECORDED : 07/03/1997
REGISTRANT: Packaging Industries Group, Inc.

ASSIGNOR: EARTH AND OCEAN SPORTS, INC. DATE SIGNED :03/26/1997
ADDRESS : DATE ACKNOWLEDG:
ENTITY : CORPORATION CITIZENSHIP: MASSACHUSETTS

ASSIGNEE: JACKSON NATIONAL LIFE
ADDRESS : 225 WEST WACKER DRIVE, SUITE 1200
C/O PFM AMERICA
CHICAGO, IL 60601

ENTITY : MICHIGAN INSURANCE COMPANY
CITIZENSHIP:

BRIEF: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

ASSIGNMENTS RECORDED PRIOR TO 1/1/55 ARE NOT CONTAINED IN THIS DATA BASE.

LAST PAGE, ENTER 'P' HERE TO PAGE BACKWARDS:
FOR A NEW SEARCH ENTER TRANSACTION CODE AND SEARCH
STRATEGY HERE:

09/22/98 15:53

JACKSON & KELLY PLLC

ATTORNEYS AT LAW

SUITE 400

2401 PENNSYLVANIA AVENUE N.W.

WASHINGTON, D.C. 20037

TELEPHONE 202-973-0200

TELECOPIER 202-973-0232

DIRECT DIAL: (202) 973-0218

BTASSAN@JACKSONKELLY.COM

WWW.JACKSONKELLY.COM

February 12, 1999

Ms. Catherine R. Hill
Affidavit/Renewal Examiner
Post Registration Division
U.S. Patent and Trademark Office
2900 Crystal Drive
Arlington, Virginia 22202-3513



02-17-1999

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #40

Re: U.S. Registration No. 1,725,948
BUMP-R-RIDE
Our File No. 61080.301

Dear Ms. Hill:

In response to your letter of January 22, 1999, please be advised that the recorded transfer involved was an assignment of only a security interest and not the trademark or its registration. A copy of the security interest assignment, recorded on July 3, 1997 at Real 1613, Frame 0919, is enclosed in confirmation thereof.

Accordingly, it is requested that the Combined Declaration be accepted and acknowledged.

Sincerely,



Bruce A. Tassan

BAT/mvb
Enclosure

cc: Sue Masure (w/enc.)

DC:10990

D

FORM PTO-1084
(Rev. 6-83)

OMB No. 0881-0011 (exp. 4/94)

RECC

07-03-1997

HEET

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office



481-40 482-1625

Tab settings

To the Honorable Commissioner of Patents

188452369

Send original documents or copy thereof.

1. Name of conveying party(ies):

EARTH AND OCEAN SPORTS, INC.
70 AIRPORT ROAD
P.O. BOX "S"
HYANNIS, MASSACHUSETTS

MAD
7-3-97

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

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

3. Nature of conveyance:

- Assignment
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- Other

Execution Date: MARCH 26, 1997

2. Name and address of receiving party(ies)

Name: JACKSON NATIONAL LIFE

Internal Address: C/O PEN AMERICA

Street Address: 225 WEST WACKER DRIVE, SUITE 1200

City: CHICAGO State: IL ZIP: 60601

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- Other MICHIGAN INSURANCE COMPANY

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(Designations must be a separate document from assignment)

Additional name(s) & address(es) attached? Yes No

4. Application number(s) or patent #



A. Trademark Application No.(s)

SEE ATTACHED SCHEDULE

02-17-1999

U.S. Patent & TMO/TM Mail Rcpt Dt. #40

I. Trademark Registration No.(s)

SEE ATTACHED SCHEDULE

1706821

Additional numbers attached? Yes No

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

Name: JAMES J. GREENBERGER

Internal Address: SCHWARTZ, COOPER, GREENBERGER & KRAUSS, CHD.

Street Address: 180 NORTH LASALLE STREET, SUITE 2700

City: CHICAGO State: IL ZIP: 60601

6. Total number of applications and registrations involved: 6

7. Total fee (37 CFR 3.41).....\$ 1665.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

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

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JUL 31 1997
10:54 AM

07/10/1997 VERBEN 00000110 1706821

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1. 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.

JAMES J. GREENBERGER

Name of Person Signing

James J. Greenberger
Signature

APRIL 1, 1997

Date

Total number of pages including cover sheet, attachments, and document: 6

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments

TRADEMARK

RECORDED: 02/07/1999

REEL: 1886 FRAME: 0286