



04-30-1999



101024753

FORM PTO-1618A  
Expires 06/30/99  
OMB 0651-0027Department of Commerce  
Patent and Trademark Office  
TRADEMARKRECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

## Submission Type



New



Resubmission (Non-Recordation)

Document ID #



Correction of PTO Error

Reel #

Frame #



Corrective Document

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Frame #

## Conveyance Type



Assignment



Security Agreement



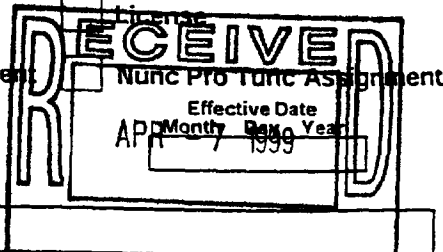
Merger



Change of Name



Other



## Conveying Party



Mark if additional names of conveying parties attached

Execution Date  
Month Day Year

Name Franciscan Hospital Mt. Airy Campus

Formerly Pro-Health Home Care Services, Inc.



Individual



General Partnership



Limited Partnership



Corporation



Association



Other



Citizenship/State of Incorporation/Organization

Ohio

## Receiving Party



Mark if additional names of receiving parties attached

Name Mercy Health Partners of Southwest Ohio

DBA/ALIAS Mercy Health Partners

Composed of

Address (line 1) 4340 Glendale-Milford Road

Address (line 2)

Address (line 3) Cincinnati

City

Ohio

State/Country

45242

Zip Code



Individual



General Partnership



Limited Partnership



Corporation



Association



Other

If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)



Citizenship/State of Incorporation/Organization

Ohio

04/27/1999 DNGUYEN 00000402 041133 1795359

FOR OFFICE USE ONLY

FC:481 40.00 CH

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231TRADEMARK  
REEL: 1889 FRAME: 0653

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Correspondent Name and Address**

Area Code and Telephone Number

(513) 483-5200

Name

Claire G. Combs, Esq.

Address (line 1)

Mercy Health Partners

Address (line 2)

4340 Glendale-Milford Road

Address (line 3)

Cincinnati, Ohio 45242

Address (line 4)

**Pages**

Enter the total number of pages of the attached conveyance document including any attachments.

#

2

**Trademark Application Number(s) or Registration Number(s)**

☐

Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)

Registration Number(s)

1795359

**Number of Properties**

Enter the total number of properties involved.

#

1

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$

40.00

Method of Payment:

Enclosed ☐

Deposit Account ☒

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

0411-33

Authorization to charge additional fees:

Yes

☒

No

☐

**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. Charges to deposit account are authorized, as indicated herein.

Thomas C. Buckley, Esq.

Name of Person Signing



Signature

4/6/99

Date Signed

## ASSIGNMENT OF TRADEMARK

WHEREAS Mercy Health Partners of Southwest Ohio dba Mercy Health Partners ("Mercy") has contracted to acquire certain of the assets and operations of Franciscan Health System of the Ohio Valley, Inc. ("Franciscan") and certain of its affiliates (the "Franciscan Operations") pursuant to an Agreement for Purchase and Sale of Assets, dated as of February 25, 1999, by and among Mercy, Franciscan and certain of their respective affiliates, including without limitation, the rights of Franciscan and its affiliates in and to the trademarks, tradenames and copyrights owned or used with respect to the Franciscan Operations.

NOW THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, the undersigned hereby assigns unto Mercy all rights, title and interest of the undersigned in and to the trademark set forth on Exhibit A, attached hereto and incorporated herein by reference (collectively, the "Proprietary Rights"), together with the goodwill of the business symbolized by said Proprietary Rights and/or to which said Proprietary Rights pertain, and the applications for registration thereof, all effective as of March 31, 1999.

The undersigned hereby agrees to execute such other documents and take such other actions as may be reasonably necessary or desirable to confirm, effectuate or evidence the foregoing assignments, including without limitation, documents to record the assignment with the appropriate state and federal governmental agencies.

FRANCISCAN HOSPITAL MT. AIRY  
CAMPUS

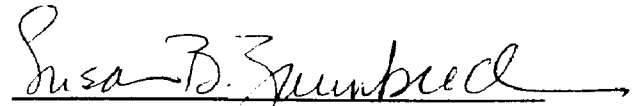
By: 

Name: R. Christopher West

Title: President

STATE OF Ohio  
COUNTY OF Hamilton, SS:

On this 31<sup>st</sup> day of March, 1999, before me appeared R. Christopher West, the person who is authorized to sign this instrument on behalf of the identified corporation, Franciscan Hospital Mt. Airy Campus, who, being duly sworn, acknowledged that he signed this instrument as his free act and deed and the free act and deed of said corporation.

  
Notary Public

SUSAN B. ZAUNBRECHER, Attorney at Law  
NOTARY PUBLIC - STATE OF OHIO  
My Commission has no expiration  
date. Section 147.03 O.R.C.

**Trademark**

Pro-Health Home Care Services, Inc.

Goods/Services: Rental and retail sale of home health care equipment  
and accessories

Reg. No: 1,795,359

## ASSIGNMENT OF TRADEMARKS

WHEREAS Mercy Health Partners of Southwest Ohio dba Mercy Health Partners ("Mercy") has contracted to acquire certain of the assets and operations of Franciscan Health System of the Ohio Valley, Inc. ("Franciscan") and certain of its affiliates (the "Franciscan Operations") pursuant to an Agreement for Purchase and Sale of Assets, dated as of February 25, 1999, by and among Mercy, Franciscan and certain of their respective affiliates, including without limitation, the rights of Franciscan and its affiliates in and to the trademarks, tradenames and copyrights owned or used with respect to the Franciscan Operations.

NOW THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, the undersigned hereby assigns unto Mercy all rights, title and interest of the undersigned in and to the trademarks set forth on Exhibit A, attached hereto and incorporated herein by reference (collectively, the "Proprietary Rights"), together with the goodwill of the business symbolized by said Proprietary Rights and/or to which said Proprietary Rights pertain, and the applications for registration thereof, all effective as of March 31, 1999.

The undersigned hereby agrees to execute such other documents and take such other actions as may be reasonably necessary or desirable to confirm, effectuate or evidence the foregoing assignments, including without limitation, documents to record the assignments with the appropriate state and federal governmental agencies.

FRANCISCAN HEALTH SYSTEM OF  
THE OHIO VALLEY, INC.

By: [Signature]  
Name: R. Christopher West  
Title: President

STATE OF Ohio  
COUNTY OF Hamilton, SS:

On this 31<sup>st</sup> day of March, 1999, before me appeared R. Christopher West, the person who is authorized to sign this instrument on behalf of the identified corporation, Franciscan Health System of the Ohio Valley, Inc., who, being duly sworn, acknowledged that he signed this instrument as his free act and deed and the free act and deed of said corporation.

[Signature]  
Notary Public

SUSAN B. ZAUNBRECHER, Attorney at Law  
NOTARY PUBLIC - STATE OF OHIO  
My Commission has no expiration  
date. Section 147.03 O.R.C.

EXHIBIT A

Federally Registered Trademarks:

1. THE COMEBACK TEAM (not currently in use)  
Goods / Services: Health care services; namely, rehabilitative medical services.  
Reg. No: 1,714,468
2. EMERSON BEHAVIORAL HEALTH SERVICES (not currently in use)  
Goods / Services: Rehabilitation of alcohol and drug addicted patients, psychiatric testing, psychiatric consultation and psychiatric services.  
Reg. No: 2,068,344
3. GABBE (not currently in use)  
Goods / Services: Charitable fund raising services; namely, in the form of a bicycle event.  
Reg. No: 1,875,539
4. STJ GABBE and Design (not currently in use)  
Goods / Services: Charitable fund raising services; namely, in the form of a bicycle event.  
Reg. No: 1,877,950
5. HEARTWATCH and Design  
Goods / Services: Promoting public awareness of heart disease and available hospital services.  
Reg. No: 1,677,173  
Consent granted: Spectracare has been granted a right to use this mark in association with its home intravenous therapy for cardiovascular patients. The agreement terminates on the abandonment by Franciscan of its trademark, or cessation of use of such trademark by either party for a period of two years for any reason.
6. HOSPITAL LAND (not currently in use)  
Goods / Services: Board game.  
Reg. No: 1,839,517

7. TENDER LIVING CARE

Goods / Services: Health Care Services

Reg. No: 1,590,244

8. THANK A CAREGIVER (Design)

Goods / Services: 1. Administration of incentive programs for the purpose of improving on-the-job service given by health care employees and volunteers, namely, forwarding of personal messages of thanks from patients and families, evaluation of medical caregivers, and recognition of outstanding service through naming of nursing scholarships.  
2. Charitable fund-raising services, namely, raising funds to support nursing scholarships, nursing enrichment programs, nursing research, community education programs and development of patient educational materials.

Published.

Serial No: 75351065

9. WHOLEHEART

Goods / Services: Holistic Health Care Services

Reg. No: 2,203,934

(page 2 of 2)

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