

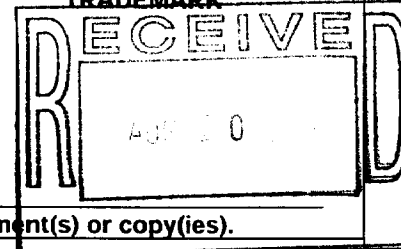
08-27-1999

TRADEMARK



101128768

RECORDATION FORM COVER SHEET
TRADEMARKS ONLY



8.20.99

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
Reel # Frame #

Conveyance Type

- Assignment License
- Security Agreement Nunc Pro Tunc Assignment
- Merger
- Change of Name
- Other

Effective Date
Month Day Year
052599

Conveying Party

Mark if additional names of conveying parties attached

Execution Date
Month Day Year

Name

Formerly

- Individual General Partnership Limited Partnership Corporation Association

Other

Citizenship/State of Incorporation/Organization

Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKATA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

State/Country

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

FOR OFFICE USE ONLY

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

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

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Pages

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

#

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)

<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

Registration Number(s)

<input type="text" value="1,001,117"/>	<input type="text" value="2,193,741"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

Number of Properties

Enter the total number of properties involved.

#

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$

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:

#

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.

Matthew J. Cushing

Name of Person Signing



Signature

August 19, 1999

Date Signed

ASSIGNMENT OF TRADEMARKS

WHEREAS, Clark Bar America, Inc., a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, having a place of business at 610 Alpha Drive, RIDC Park, Pittsburgh, PA 15238 (the "Assignor"), has adopted and used and is using the trademarks and service marks (the "Marks") identified on Schedule A attached hereto, and is the owner of the registrations of such Marks in the United States Patent and Trademark Office and the appropriate office in the countries of Canada, Panama and Mexico identified on such Schedule A; and

WHEREAS, DMA Acquisition Corp. II., a corporation organized and existing under the laws of the State of Delaware, having a place of business at 134 Cambridge Street, Cambridge, MA 02139 (the "Assignee"), is desirous of acquiring the Marks and the registrations thereof;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, intending to be legally bound hereby, the Assignor does hereby assign, sell and transfer unto the Assignee all right, title and interest in and to the Marks, together with (i) the registrations of the Marks, (ii) the goodwill of the business symbolized by and associated with the Marks and the registrations thereof, and (iii) the right to sue and recover for, and the right to profits or damages due or accrued arising out of or in connection with, any and all past, present or future infringements or dilution of or damage or injury to the Marks or the registrations thereof or such associated goodwill.

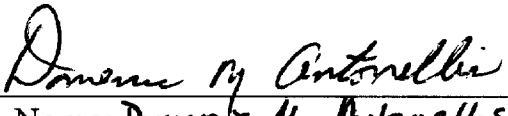
IN WITNESS WHEREOF, the Assignor, by its duly authorized officer, has executed this assignment, as an instrument under seal, on this 25th day of May, 1999.

CLARK BAR AMERICA, INC.

By: 
Archie Strimel
Its Chief Executive Officer


The foregoing assignment of the Marks and the registrations thereof by the Assignor to the Assignee is hereby accepted as of the 25th day of May, 1999.

DMA ACQUISITION CORP. II

By: 
Name: Domenic M. Antonellis
Title: President

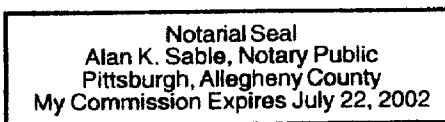
COMMONWEALTH OF PENNSYLVANIA)
)
COUNTY OF ALLEGHENY)

On this the 25th day of May, 1999, before me appeared Archie Strimel, the person who signed this instrument, who acknowledged that he is the Chief Executive Officer of Clark Bar America, Inc., a Pennsylvania corporation and that being duly authorized he signed such instrument as a free act on behalf of said corporation.



Notary Public

My commission expires:



Member, Pennsylvania Association of Notaries

COMMONWEALTH OR STATE OF _____)
) ss.
COUNTY OF _____)

On this the _____ day of May, 1999, before me appeared _____, the person who signed this instrument, who acknowledged that he is the _____ of DMA ACQUISITION CORP. II. and that being duly authorized he signed such instrument as a free act on behalf of said corporation.

Notary Public
My commission expires:

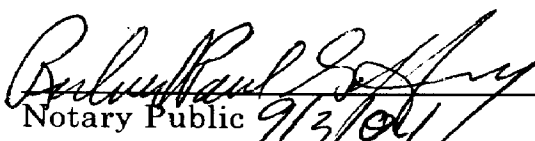
COMMONWEALTH OR STATE OF _____)
) ss.
COUNTY OF _____)

On this the _____ day of May, 1999, before me appeared _____, the person who signed this instrument, who acknowledged that he is the _____ of Clark Bar America Inc. and that being duly authorized he signed such instrument as a free act on behalf of said corporation.

Notary Public
My commission expires:

COMMONWEALTH OR STATE OF Massachusetts)
) ss.
COUNTY OF Middlesex)

On this the 25th day of May, 1999, before me appeared Domenic M. Antonellis, the person who signed this instrument, who acknowledged that he is the President of DMA ACQUISITION CORP. II. and that being duly authorized he signed such instrument as a free act on behalf of said corporation.


Notary Public 9/3/04
My commission expires:

SCHEDULE A

Trademarks and Trademark Registrations

<u>Mark</u>	<u>Registration No.</u>	<u>Country of Registration</u>
CLARK	1,001,117	USA
SWEET & CHEAT	2,193,741	USA
CLARK	237,624	Canada
CLARK'S	243,290	Canada
CLARK	231,953	Canada
CLARKETTES	149,307	Canada
CLARK	032,804	Panama
CLARK	Application No. 38037	Mexico