

TRADEMARKS ONLY



Tab settings

RE

To the Honorable Commissioner of Patents and Trademarks: Please record the attached or

101253103

1. Name of conveying party(ies):

Wells Fargo Bank, N.A., successor to First Interstate Bank of Calif.

12-10-99

2. Name and address of receiving party(ies)

Name: Street Scene Manufacturing, Inc.

Internal Address: SEE BELOW

Street Address: 365 McCormick Avenue

City: Costa Mesa State: CA ZIP: 92626

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

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

3. Nature of conveyance:

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

Execution Date: August 19, 1999

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

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 number(s):

A. Trademark Application No.(s)

- 75/677,937, 75/670,148, 75/325,395, 75/320,956

B. Trademark Registration No.(s)

- 1,563,988, 2,087,318, 2,207,441

Additional numbers attached? Yes No

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

Name: KIT M. STETINA, STETINA BRUNDA GARRED & BRUCKER, Internal Address: 24221 Calle de la Louisa, 4th Floor, Laguna Hills, CA 92653-7602

Street Address: STETINA BRUNDA GARRED & BRUCKER, 24221 Calle de la Louisa, 4th Floor, City: Laguna Hills State: CA ZIP: 92653-3642

6. Total number of applications and registrations involved:

1

7. Total fee (37 CFR 3.41), \$40 for 1st and \$25 for 2nd and additional Enclosed

Authorized to be charged to deposit account -- ANY ADDITIONAL FEES NEEDED

8. Deposit account number:

19-4330

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.

KIT M. STETINA, Name of Person Signing (attorney)

Signature

12/10/99, Date

Total number of pages including cover sheet, attachments, and document: 7

**TRADEMARK ASSIGNMENT**

Assignment made as of August 19, 1999, by Wells Fargo Bank, N.A., as successor to First Interstate Bank of California ("Assignor") to Street Scene Manufacturing, Inc., a California corporation ("Assignee").

WHEREAS, on February 7, 1996, Assignor was granted a security interest in certain trademarks (the "Trademarks") owned by Performance Marketing, Inc. ("Performance"), which was recorded with the United States Patent and Trademark Office;

WHEREAS, Assignor foreclosed on the security interest and exercised its right to transfer, at a private sale pursuant to Section 9504 of the California Uniform Commercial Code, all of Performance's right, title, and interest to the Trademarks, but only to the extent that such right, title and interest was pledged by Performance as collateral to Assignor (the "Pledged Trademark Rights");

WHEREAS, Assignor has acquired the right to transfer all of the Pledged Trademark Rights in applications for the Trademarks in the United States Patent and Trademark Office and the Canadian Intellectual Property Office (the "Applications"), including but not limited to those application serial numbers identified in Exhibit A attached hereto;

WHEREAS, Assignor has acquired the right to transfer all of the Pledged Trademark Rights in Canadian and United States trademark registrations (the "Registrations"), including but not limited to those registration numbers identified in Exhibit A attached hereto;

70055149.1

WHEREAS, Assignee desires to receive an assignment of the full right, title, and interest in the Trademarks, and Assignor is willing to make such assignment;

WHEREAS, Assignor is assigning all rights that it may have to the Trademarks, the Registrations, and the Applications to Assignee as part of the sale of the assets of the Performance Marketing and Street Scene Equipment Divisions of Performance, to which the Trademarks pertain; and

WHEREAS, Assignee desires to acquire the entire interest of the Assignor in the Trademarks, the Registrations, and the Applications and has purchased such interest at the private sale.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is acknowledged, Assignor hereby assigns to Assignee all right, title and interest that it may have in and to the Trademarks, together with the goodwill of the business symbolized by the Trademarks; the Registrations and all rights that arise from the Registrations; the Applications and any rights that arise from the Applications; all rights to seek other registrations of the Trademarks in the United States Patent and Trademark Office or the Canadian Intellectual Property Office or elsewhere; any all causes of action, past or future, for infringement of the Trademarks or other violations of the rights assigned hereunder. It is understood that Assignor is assigning only whatever interest it may have as to the Trademarks, the Registrations, and the Applications, and that Assignor makes no representations or warranties, except that the Assignor Represents and

warrants that it has the authority to assign its interest in such Trademarks, Registrations, and Applications and has not previously assigned or otherwise transferred such interest.

Wells Fargo Bank, N.A., as successor to  
First Interstate Bank of California (Assignor)

By: Darryl Hallie - DARRYL HALLIE  
Name:

Its: Vice President

STATE OF CALIFORNIA ) SS:

COUNTY OF LOS ANGELES)

On this 14th day of August, 1999, before me personally appeared DARRYL HALLIE, who acknowledged himself to be the VICE PRESIDENT of WELLS FARGO BANK, N.A., and that he, as such VICE PRESIDENT, being authorized to do so, executed this instrument on behalf of such corporation.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

*Sharon Rose Hatch*

Notary Public

(Affix stamp)



# TRADEMARK

## Registrations

<u>Type</u>	<u>Number</u>	<u>Jurisdiction</u>	<u>Description</u>
Trademark	1563988	US	PM Logo
Trademark	2087318	US	SS Street Scene Equipment & Design
Trademark	2207441	US	Street Smart

## Pending Applications

<u>Type</u>	<u>Number</u>	<u>Jurisdiction</u>	<u>Filing Date</u>	<u>Description</u>
Trademark	75-677937	US	04/08/99	Street Scene Equipment
Trademark	75-670148	US	03/29/99	Street Scene Equipment & Design
Trademark	75-325395	US	07/16/97	Speed Grille Design
Trademark	75-320956	US	07/08/97	Speed Grille

EXHIBIT A