

FORM PTO-1594

(Rev. 6-93)

OMB No. 0651-0011 (exp. 4/94)

REC

01-05-2000

HEET

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office



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12.17.99

To the Honorable Commissioner of Pa

101236474

Attached original documents or copy thereof.

1. Name of conveying party(ies):

Banc of America Securities LLC

- Individual(s)
- General Partnership
- Corporation-State
- Other Delaware Limited Liability Company

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

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other
- Association
- Limited Partnership
- Merger
- Change of Name

Execution Date: December 10, 1999

2. Name and address of receiving party(ies)

Name: Bank of America Corporation

Internal Address: \_\_\_\_\_

Street Address: 100 North Tryon Street

City: Charlotte State: NC ZIP: 28255

- Individual(s) citizenship \_\_\_\_\_
- Association \_\_\_\_\_
- General Partnership \_\_\_\_\_
- Limited Partnership \_\_\_\_\_
- Corporation-State Delaware
- 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)

SEE Attached SCHEDULE "B"

B. Trademark Registration No.(s)

SEE Attached SCHEDULE "A"

Additional numbers attached?  Yes  No

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

Name: Martha Gayle Barber, Esq.  
ALSTON & BIRD LLP  
Internal Address: P.O. Drawer 34009

Street Address: 1211 E. Morehead Street

City: Charlotte State: NC ZIP: 28234

6. Total number of applications and registrations involved: 8

7. Total fee (37 CFR 3.41).....\$ 215.00

- Enclosed
- Authorized to be charged to deposit account

If additional fees are needed please use

8. Deposit account number:

16-0605

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

01/05/2000 DEBITED 00000000 1015123

DO NOT USE THIS SPACE

01 FC:481 40.00 UP  
02 FC:482 175.00 UP

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.

Martha Gayle Barber  
Name of Person Signing

Martha Gayle Barber  
Signature

Dec. 13, 1999  
Date

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

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231

TRADEMARK  
REEL: 002006 FRAME: 0677

**SCHEDULE "A"**

<b><u>MARK</u></b>	<b><u>REG. NO.</u></b>	<b><u>REGISTERED</u></b>
<b>BETTING ON THE BIOLOGY</b>	<b>1,815,123</b>	<b>January 4, 1994</b>
<b>THE POWER OF GROWTH</b>	<b>2,113,822</b>	<b>November 18, 1997</b>
<b>MSGSI</b>	<b>2,140,597</b>	<b>March 3, 1998</b>
<b>HITS</b>	<b>2,174,155</b>	<b>July 21, 1998</b>
<b>MONTGOMERY SECURITIES 500 GROWTH STOCK INDEX</b>	<b>2,258,456</b>	<b>July 6, 1999</b>
<b>PRIMEMONT TRADING</b>	<b>2,273,322</b>	<b>August 31, 1999</b>

**SCHEDULE "B"**

<b><u>MARK</u></b>	<b><u>APPLICATION NO.</u></b>	<b><u>FILED</u></b>
<b>NMSGI</b>	<b>75/405,568</b>	<b>12-9-97</b>
<b>WWW.PRIMEBROKER.COM</b>	<b>75/428,019</b>	<b>2-3-98</b>

**ASSIGNMENT OF UNITED STATES  
SERVICE MARK REGISTRATIONS AND APPLICATIONS**

WHEREAS, Banc of America Securities LLC, a Delaware Limited Liability Company, having a principal place of business at 100 North Tryon Street, Charlotte, North Carolina 28255, (hereinafter referred to as "ASSIGNOR"), is the exclusive and record owner of the entire right, title and interest in and to the Service Marks and the corresponding official United States Service Mark Registrations and Applications therefor listed in Schedules "A" and "B".

WHEREAS, Bank of America Corporation, a Delaware corporation, having a principal place of business at 100 North Tryon Street, Charlotte, North Carolina 28255, (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the Service Marks and the corresponding official United States Service Mark Registrations and Applications therefor listed in Schedules "A" and "B";

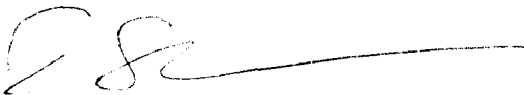
NOW THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, ASSIGNOR does hereby assign, transfer and sell unto said ASSIGNEE the entire right, title and interest in and to the Service Marks and the corresponding United States Service Mark Registrations and Applications therefor, together with the goodwill of the business appurtenant to and symbolized by said Service Marks, and said corresponding official United States Service Mark Registrations and Applications therefor, and all rights of action against third parties for past infringement thereof, the same to be held and enjoyed by said ASSIGNEE as fully and entirely as the same would have been held by ASSIGNOR had

this transfer, assignment and sale not been made.

ASSIGNOR hereby warrants and covenants that it has the full power and authority to convey the rights, title and interests herein assigned, transferred and sold to ASSIGNEE, that it has not executed and will not execute any agreement in conflict herewith, and that it will execute any and all other instruments which may be necessary to perfect and evidence ASSIGNEE's ownership of the property and rights herein conveyed.

IN WITNESS WHEREOF, ASSIGNOR, intending to be legally bound, has caused this Assignment to be executed by its duly authorized officer as of the 10<sup>th</sup> day of December, 1999.

BANC OF AMERICA SECURITIES LLC



By: Robert Slaymaker  
Title: Chief Operating Officer

031592-180262  
CLT01/4391856v1