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U.S. Patent & TMOrc/TM Mail Ropt Dt. #47



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Docket No.

57455-7006

101265674

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof

1. Name of conveying party(ies):

Swain Travel Services, Inc.

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

Additional names(s) of conveying party(ies) Yes No

3. Nature of conveyance:

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

Execution Date: December 24, 1999

2 Name and address of receiving party(ies):

Name: Far & Wide Travel Corporation

Internal Address:

Street Address: 80 S.W. 8th Street, Suite 2601

City: Miami State: FL ZIP: 33130

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

If assignee is not domiciled in the United States, a domestic designation is Yes No
(Designations must be a separate document from Additional name(s) & address(es) Yes No

4. Application number(s) or registration numbers(s):

A. Trademark Application No (s)

75/515,275 75/515,429

Additional numbers

B. Trademark Registration No (s)

2,114,980 1,930,635 1,975,220
1,665,258 1,625,247

Yes No

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

Name: Donald S. Showalter, Esq.

Internal Address: Holland & Knight LLP

6. Total number of applications and registrations involved

7

7. Total fee (37 CFR 401) \$ \$280.00
Seven separate checks @ \$40.00 each enclosed

Authorized to be charged to deposit account

8. Deposit account number

Street Address: One East Broward Blvd.

City: Fort Lauderdale State: FL ZIP: 33301

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.

Signature of Person Signing

Name of Person Signing

Signature

Name

CHECK Refund Total: \$15.00

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Total number of pages including cover sheet, attachments, and

TRADE MARK

REEL: 002021 FRAME: 0134

**NUNC PRO TUNC ASSIGNMENT
OF MARKS AND REGISTRATIONS**

WHEREAS, Swain Travel Services, Inc., a Pennsylvania corporation, having a place of business at 6 West Lancaster Avenue, Ardmore, Pennsylvania 19003 (hereinafter "Assignor"), is the owner of all worldwide right, title and interest in and to each of the tradenames and marks identified on attached Exhibit A (said tradenames and marks hereinafter collectively "The Marks") together with all goodwill of the business symbolized by The Marks and each of the U.S., state and/or foreign registrations and/or applications for registration identified in attached Exhibit A (hereinafter "The Registrations"); and

WHEREAS, Far & Wide Travel Corporation, a Delaware corporation, having a place of business at 80 S.W. 8th Street, Suite 2601, Miami, FL 33130-3097 (hereinafter "Assignee") is desirous of acquiring the entire worldwide right, title and interest in, to and under The Registrations, The Marks, and the goodwill of the business symbolized by The Marks;

NOW, THEREFORE, in consideration of the sum of One U.S. Dollar (\$1.00) and other good and valuable consideration, the receipt, sufficiency and reasonably equivalent value of which are hereby mutually acknowledged, Assignor covenants to and hereby does irrevocably sell, assign, transfer and convey unto Assignee, its successors and assigns, nunc pro tunc effective as of March 30, 1999, all worldwide right, title and interest in and to: (a) The Marks and all goodwill of the business symbolized by The Marks; (b) any and all registrations of The Marks, whether state, federal or foreign including without limitation The Registrations set forth in attached Exhibit A; (c) any and all applications to register The Marks, whether state, federal or foreign, including without limitation those set forth in attached Exhibit A; (d) all common law rights in, to and under The Marks; (e) any and all other rights in, to and under The Marks including without limitation any and all rights to royalties, profits, compensations, license fees or other


payments or remuneration of any kind relating to The Marks and/or the goodwill of the business symbolized by The Marks; and (f) all claims or causes of action Assignor has or may have in connection with The Marks, including, but not limited to, the right to sue and recover damages for any and all past infringements of The Marks.

FURTHER, Assignor hereby covenants that it has full right to convey the entire interest herein assigned, that it has not executed, and will not execute, any instruments or agreements inconsistent herewith and that its undersigned representative is possessed of both the capacity and authority to execute and deliver this instrument on behalf of Assignor.

AND FURTHER, attached Exhibit A is hereby expressly incorporated herein by reference in its entirety to form part of this instrument.

WITNESSETH my hand this 24th day of DECEMBER, 1999, 2000.

SWAIN TRAVEL SERVICES, INC.

By: 
Ian Swain, President
DL # 24082886

STATE OF PENNSYLVANIA)
) SS:
COUNTY OF Montgomery

I HEREBY certify that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by Ian Swain, the President of Swain Travel Services, Inc. who is personally known to me/who produced PA DR LIC. I.D # 24082886 as identification.

WITNESSETH my hand and official seal in the County and State last aforesaid this 24th day of December, 1999, 2000.



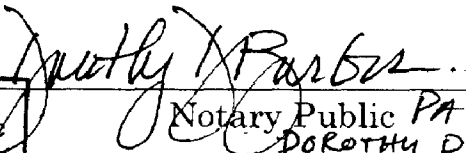

Notary Public PA NOTARY
DOROTHY D BARBOUR

EXHIBIT A

MARK

REGISTRATION/APPLICATION

- | | | |
|----|-------------------------------------|---|
| 1. | SWAIN AFRICA TOURS
and Design | U.S. Application
Serial No. 75/515,275
Filed 7-8-98 |
| 2. | SWAIN AFRICA TOURS | U.S. Application
Serial No. 75/515,429
Filed 7-8-98 |
| 3. | DOWNUNDER DIRECT | U.S. Registration
No. 2,114,909 |
| 4. | DOWNUNDER DIRECT
and Design | U.S. Registration
No. 1,930,635 |
| 5. | SWAIN | U.S. Registration
No. 1,975,220 |
| 6. | SWAIN AUSTRALIA TOURS
and Design | U.S. Registration
No. 1,625,248 |
| 7. | SWAIN AUSTRALIA TOURS | U.S. Registration
No. 1,625,247 |

TRADENAME

1. Swain Australia Tours
2. Swain Asia Tours
3. Swain World Cruises
4. DownUnder Direct
5. Swain Travel

FTL1 #460318 v1