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04-10-2000

FORM PTO-1594  
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U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

461952-00002

To the Honorable Commissioner of Patents and

101314419

original documents or copy thereof.

1. Name of conveying party(ies):

Dayton Professional Baseball  
Club, LLC

- Individual(s)
  - General Partnership
  - Corporation-State
  - Other Indiana limited liability  
company
- Additional name(s) of conveying party(ies) attached  Yes  No

2. Name and address of receiving party(ies):

Name: Fifth Third Bank, Western Ohio  
Internal Address: Suite 250  
Street Address: 1 Dayton Centre  
City: Dayton State: OH Zip: 45402

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State
- Other Ohio state banking corporation

3. Nature of conveyance:

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

Execution Date: February 23, 2000

If assignee is not domiciled in the United States, a domestic representative designation is attached:  Yes  No  
Designation must be a separate document from Assignment)  
Additional name(s) and address(es) attached:  Yes  No

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

A. Trademark Application No.(s) 75/836,925  
75/836,933  
75/837,786

B. Trademark registration No.(s)

Additional numbers attached?  Yes  No

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

Name: John M. Mueller  
Internal Address: Thompson Hine & Flory LLP  
Street Address: 2000 Courthouse Plaza N.E.  
P.O. Box 8801  
City: Dayton State: Ohio Zip: 45401-8801

6. Total number of applications and registrations involved: 3

7. Total fee (37 CFR 3.41) ..... \$ 90.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account Number:

20-0809

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

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01 FC:481  
02 FC:482

Statement and signature: 40.00 DP  
50.00 DP  
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.

John M. Mueller  
Name of Person Signing

[Signature]  
Signature

3/2/00  
Date

Reg. No. 44,248

Total Number of pages comprising cover sheet:

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

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Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks  
Box Assignments  
Washington, D.C. 20231

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information System, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503.

**ASSIGNMENT**

WHEREAS, **DAYTON PROFESSIONAL BASEBALL CLUB, LLC**, a Indiana limited liability company having a place of business at 330 Washington Boulevard, Suite 710, Marina Del Rey, California 90292 (hereinafter "Assignor"), is the owner of the following trademarks for which application in the United States Patent and Trademark Office are pending:

<b>Trademark</b>	<b>Application No.</b>	<b>Filed</b>
Dayton Dragons	75/836,925	11/2/99
Dayton Dragons Professional Baseball Team and Design	75/836,933	11/2/99
D and Design	75/837,786	11/2/99

AND WHEREAS, **FIFTH THIRD BANK, WESTERN OHIO**, an Ohio state banking corporation having an office at 1 Dayton Centre, Suite 250, Dayton, Ohio 45402 (hereinafter "Assignee"), desires to acquire all right, title and interest to the trademark applications and trademark registrations thereof (hereinafter "Trademarks"), and the Assignor and Assignee desire to affirm said assignment in a form suitable for recordation with the United States Patent and Trademark Office;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, Assignor hereby assigns to Assignee all right, title and interest in the United States in and to said Trademarks together with the goodwill of the business symbolized by said Trademarks.

The Commissioner of Patents and Trademarks is requested to issue the Certificates of Registration to the Assignee.

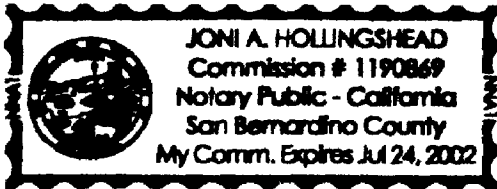
IN WITNESS WHEREOF, DAYTON PROFESSIONAL BASEBALL CLUB, LLC, by its duly authorized manager, does hereby set its hand as of the 15th day of February, 2000.

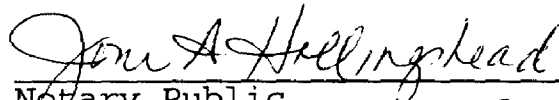
DAYTON PROFESSIONAL BASEBALL CLUB, LLC

By:   
Henry E. Stickney, a Manager

STATE OF ~~OHIO~~ ) CALIFORNIA  
 ) SS:  
COUNTY OF ~~MONTGOMERY~~ ) SAN BERNARDINE

On this 23<sup>rd</sup> day of February, 2000, before me, a Notary Public, in and for the above county and state, personally appeared the above named Henry E. Stickney, a Manager, who is personally known to me, and acknowledged the execution of the foregoing assignment as a free act and deed for the purpose herein set forth.



  
Notary Public  
My Commission Expires: Jul 24, 2002

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