

07-06-2000

(Rev. 6-93)

Patent and Trademark Office

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



6.5.00

101396653

To the Honorable Commissioner of

inal documents or copy thereof.

1. Name of conveying party(ies):

First Trust of New York

20 JUL -5 PM 4:17

CONFERENCE

- ☐ Individual(s) ☐ Association  
☐ General Partnership ☐ Limited Partnership  
☐ Corporation-State  
☒ Other National Banking Association

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

3. Nature of conveyance:

- ☐ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☒ Other Release of Security Interest at Reel/Frame 1671/0337 dated November 10, 1997

Execution Date: \_\_\_\_\_

2. Name and address of receiving party(ies)

Name: Lemieux Group LP, formerly Pittsburgh Hockey Associates

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

Street Address: One Chatham CenterCity: Pittsburgh State: PA ZIP: 15219

- ☐ Individual(s) citizenship \_\_\_\_\_  
☐ Association \_\_\_\_\_  
☐ General Partnership \_\_\_\_\_  
☒ Limited Partnership Pennsylvania

- ☐ Corporation-State \_\_\_\_\_  
☐ 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)

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. ConeInternal Address: Akin Gump Strauss Hauer & Feld LLPStreet Address: P. O. Box 688City: Dallas State: TX ZIP: 75313-06886. Total number of applications and registrations involved: 147. Total fee (37 CFR 3.41) \$365.00

- ☒ Enclosed  
☐ Authorized to be charged to deposit account

8. Deposit account number:

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

07/05/2000 DMGUYEN 00000044 875829

01 FC:481

02 FB:482

40.00 OP  
325.00 OP

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.

John M. Cone

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: 9

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

**ATTACHMENT I**  
**TERMINATION AND RELEASE OF SECURITY INTEREST IN**  
**UNITED STATES TRADEMARK REGISTRATIONS AND APPLICATIONS**

<b>APPLICATION OR REGISTRATION NUMBER</b>	<b>MARK</b>
Reg. No. 875,829	PENGUINS
Reg. No. 875,830	Design (Penguin with Stick/Triangle)
Reg. No. 1,601,443	Design (Penguin with Stick)
Reg. No. 1,836,388	PENVISION and Design
Reg. No. 1,918,647	Design (Penguin/Triangle)
Reg. No. 1,959,319	PITTSBURGH STINGERS
Reg. No. 1,960,976	STINGERS
Reg. No. 2,056,247	TERRORDOME
Reg. No. 2,059,950	TERRORDOME and Design
Reg. No. 2,061,339	ICE TIME
Reg. No. 2,134,610	ICEBURGH
Reg. No. 2,136,006	Design (Mascot)
App. No. 74/267,125	Design (Penguin/Triangle)
App. No. 74/446,971	PENGUINS REAL DEAL

**TERMINATION AND RELEASE OF SECURITY INTEREST IN  
UNITED STATES TRADEMARK REGISTRATIONS AND APPLICATIONS**

WHEREAS, First Trust of New York, a national banking association, not in its individual capacity, but solely as Trustee ("First Trust") and Pittsburgh Hockey Associates, a Pennsylvania limited partnership ("PHA") are parties to a trademark security agreement that provided, *inter alia*, for the granting of liens on, and security interests in, certain trademark registrations and applications to register trademarks, as more fully listed in Schedule 1 to this document and the goodwill as may exist with respect to the business associated therewith ("Trademarks"), which security agreement was recorded with the Patent and Trademark Office, Reel/Frame 1671/0337, recorded on November 10, 1997 ("Security Agreement");

WHEREAS, US Bank Trust National Association, is the successor in all right, title and interest to First Trust, as evidenced in Attachment "A" to this document (collectively with First Trust, "Secured Party");

WHEREAS, Lemieux Group, LP is the new name under which Grantor is currently doing business as evidenced in Attachment "B" to this document (collectively with PHA, "Grantor");

WHEREAS, Grantor and Secured Party have entered into an Amended and Restated Trademark Security Agreement, dated September 1, 1999, which provides, *inter alia*, for the granting of new liens on and security interests in certain trademarks ("Amended Security Agreement");

WHEREAS, in partial consideration for the Amended Security Agreement, the parties have agreed to terminate and release all security interests and liens granted under the Security Agreement in and to the Trademarks;

WHEREAS, the parties shall concurrently with this document enter and file a Grant of Security Interests in US Trademark Registration and Application subject to and under the Amended Security Agreement; and

WHEREAS, it is the purpose of this document to perfect and memorialize the release and termination of the Security Interests granted in and to the Trademarks under the Security Agreement in a form suitable for recordation in the United States Patent and Trademark Office;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged and subject to the terms and conditions of the Security Agreement and the Amended and Restated Trademark Security Agreement, Secured Party hereby releases and terminates the Security Interests granted to Grantor in and to the Trademarks as those are recorded in the United States Patent and Trademark Office at Reel/Frame 1671/0337, dated November 10, 1997.

**GRANTOR:**

LEMIEUX GROUP LP,  
formerly doing business as  
Pittsburgh Hockey Associates,  
a Pennsylvania limited partnership

By: Team Lemieux LLC,  
a Pennsylvania limited liability  
company, its general partner

By: [Signature]  
Name: Mario Lemieux  
Title: Chief Executive Officer

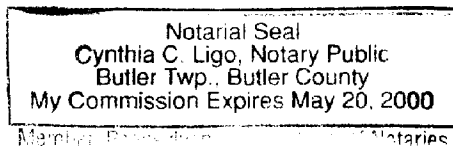
STATE OF PENNSYLVANIA §  
§  
COUNTY OF Allegheny §

BEFORE ME, the undersigned  
Notary Public, personally appeared Mario  
Lemieux, who being by me duly sworn  
stated that he is the Chief Executive  
Officer of Lemieux Group LP, and that  
he signed the foregoing document in his  
capacity as such and for the purpose and  
intent therein stated.

[Signature]  
Notary Public

Printed Name

My commission expires: \_\_\_\_\_

**SECURED PARTY:**

US BANK TRUST NATIONAL ASSOCIATION,  
successor-in-interest to First Trust of New York,  
National Association

By: [Signature]  
Name: Robert B. Kadich  
Title: Vice President

New York  
STATE OF ~~PENNSYLVANIA~~ §  
§  
COUNTY OF Queens §

BEFORE ME, the undersigned Notary Public,  
personally appeared Robert Kadich,  
who being by me duly sworn stated that he/she is  
Vice President of US Bank Trust National  
Association and that he/she signed the foregoing  
document in his/her capacity as such and for the  
purpose and intent therein stated.

[Signature]  
Notary Public

Printed Name

My commission expires: 11/3/01

PENNSYLVANIA DEPARTMENT OF STATE  
CORPORATION BUREAU  
ROOM 308 NORTH OFFICE BUILDING  
P.O. BOX 8722  
HARRISBURG, PA 17105-8722

87

LEMIEUX GROUP LP

THE CORPORATION BUREAU IS HAPPY TO SEND YOU YOUR FILED DOCUMENT.  
PLEASE NOTE THE FILE DATE AND THE SIGNATURE OF THE SECRETARY OF THE  
COMMONWEALTH. THE CORPORATION BUREAU IS HERE TO SERVE YOU AND WANTS  
TO THANK YOU FOR DOING BUSINESS IN PENNSYLVANIA. IF YOU HAVE ANY  
QUESTIONS PERTAINING TO THE CORPORATION BUREAU, CALL (717) 787-1057.

ENTITY NUMBER: 2055262

MICROFILM NUMBER: 09970

0978-0979

PEPPER HAMILTON LLP  
COUNTER

TRADEMARK  
REEL: 002096 FRAME: 0350

9970- 378

Microfilm Number \_\_\_\_\_

Filed with the Department of State on SEP 03 1999Entity Number 2055262Secretary of the Commonwealth D

# CERTIFICATE OF AMENDMENT-LIMITED PARTNERSHIP (LLP)

DSCB:15-8512 (Rev 90)

In compliance with the requirements of 15 Pa.C.S. § 8512 (relating to certificate of amendment), the undersigned limited partnership, desiring to amend its Certificate of Limited Partnership, hereby certifies that:

and 15 Pa.C.S. § 8201(b)

1. The name of the limited partnership is: Pittsburgh Hockey Associates

2. The date of filing of the original Certificate of Limited Partnership is: October 15, 1991

3. (Check, and if appropriate complete, one of the following):

\_\_\_\_ The amendment adopted by the limited partnership, set forth in full, is as follows:

☒ The amendment adopted by the limited partnership is set forth in full in Exhibit A attached hereto and made a part hereof.

4. (Check, and if appropriate complete, one of the following):

☒ The amendment shall be effective upon filing this Certificate of Amendment in the Department of State.

\_\_\_\_ The amendment shall be effective on: \_\_\_\_\_ at \_\_\_\_\_  
Date Hour

5. (Check if the amendment restates the Certificate of Limited Partnership):

\_\_\_\_ The restated Certificate of Limited Partnership supersedes the original Certificate of Limited Partnership and all amendments thereto.

IN TESTIMONY WHEREOF, the undersigned limited partnership has caused this Certificate of Amendment to be executed this 9th day of July, 19 99.

TEAM LEMIEUX LLC

Mario Lemieux  
Mario Lemieux

TITLE: Chief Executive Officer

Pittsburgh Hockey Associates.

By: HBEA, LLC, General Partner  
(Name of Partnership)

BY: Gregory D. Cribbs  
(Signature)

TITLE: Gregory D. Cribbs, Vice President and General Counsel

9970- 979

**EXHIBIT A  
TO  
CERTIFICATE OF AMENDMENT-LIMITED PARTNERSHIP  
PITTSBURGH HOCKEY ASSOCIATES**

1. The name of the Limited Partnership is changed to Lemieux Group LP
2. The Registered Office of the Limited Partnership is changed to One Chatham Center, Suite 400, Pittsburgh, PA 15219, Attention: Chief Executive Officer.
3. HBRM LLC is hereby withdrawn as the General Partner and the new General Partner is Team Lemieux LLC, with its Registered Office at One Chatham Center, Suite 400, Pittsburgh, PA 15219, Attention: Chief Executive Officer.



Comptroller of the Currency  
Administrator of National Banks

Washington, DC 20219

### CERTIFICATE

I, Julie L. Williams, Acting Comptroller of the Currency, do hereby certify that:

1. The Comptroller of the Currency, pursuant to Revised Statutes 324, et seq., as amended, 12 U.S.C. 1, et seq., as amended, has possession, custody and control of all records pertaining to the chartering, regulation and supervision of all National Banking Associations.
2. Effective March 30, 1998, the title of "First Trust of New York, National Association," New York, New York, (Charter No. 22746), was changed to "U.S. Bank Trust National Association," New York, New York, (Charter No. 22746).

IN TESTIMONY WHEREOF, I have  
hereunto subscribed my name and  
caused my seal of office to be affixed  
to these presents at the Treasury  
Department, in the City of  
Washington and District of Columbia,  
this 16th day of April, 1998.

Acting Comptroller of the Currency





Comptroller of the Currency  
Administrator of National Banks

Washington, D.C. 20219

### Certificate of Fiduciary Powers

I, Julie L. Williams, Acting Comptroller of the Currency, do hereby certify that:

1. The Comptroller of the Currency, pursuant to Revised Statutes 324, et seq., as amended, 12 U.S.C. 1, et seq., as amended, has possession, custody and control of all records pertaining to the chartering of all National Banking Associations.

2. "U.S. Bank Trust National Association," New York, New York, (Charter No. 22746), was granted, under the hand and seal of the Comptroller, the right to act in all fiduciary capacities authorized under the provisions of the Act of Congress approved September 28, 1962, 76 Stat. 668, 12 U.S.C. 92a, and that the authority so granted remains in full force and effect on the date of this Certificate.

IN TESTIMONY WHEREOF, I have hereunto

subscribed my name and caused my seal of office to

be affixed to these presents at the Treasury

Department in the City of Washington and District

of Columbia, this 16th day of April, 1998.



Acting Comptroller of the Currency