

08-10-2000



101427824  
RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

**Submission Type** 7-13-00

New

Resubmission (Non-Recordation)  
Document ID # \_\_\_\_\_

Correction of PTO Error  
Reel # \_\_\_\_\_ Frame # \_\_\_\_\_

Corrective Document  
Reel # \_\_\_\_\_ Frame # \_\_\_\_\_

**Conveyance Type**

Assignment  License

Security Agreement  Nunc Pro Tunc Assignment

Merger

Change of Name

Other \_\_\_\_\_

Effective Date  
Month Day Year  
08 28 98

**Conveying Party**  Mark if additional names of conveying parties attached

Name: BERNSTEIN GROUP, LLC

Formerly: \_\_\_\_\_

Execution Date: 08 28 98

Individual  General Partnership  Limited Partnership  Corporation  Association

Other: LIMITED LIABILITY COMPANY

Citizenship/State of Incorporation/Organization: DELAWARE

**Receiving Party**  Mark if additional names of receiving parties attached

Name: PRACTICE BUILDER ORGANIZATION ACQUISITION CO., INC.

DBA/AKA/TA: \_\_\_\_\_

Composed of: \_\_\_\_\_

Address (line 1): 18351 JAMBOREE ROAD

Address (line 2): \_\_\_\_\_

Address (line 3): IRVINE CALIFORNIA 92612

City State/Country Zip Code

Individual  General Partnership  Limited Partnership  If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)

Corporation  Association

Other: \_\_\_\_\_

Citizenship/State of Incorporation/Organization: DELAWARE

06/09/2000 MTHA11 00000095 1739819  
01 FC:481 40.00 OP  
02 FC:482 50.00 OP

FOR OFFICE USE ONLY

0000096630  
MTHA11  
Fund Total:

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

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

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Correspondent Name and Address**

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Pages**

Enter the total number of pages of the attached conveyance document including any attachments.

#

**Trademark Application Number(s) or Registration Number(s)**

Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

**Trademark Application Number(s)**

**Registration Number(s)**

<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

<input type="text" value="1,739,819"/>	<input type="text" value="1,740,153"/>	<input type="text"/>
<input type="text" value="1,740,308"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

**Number of Properties**

Enter the total number of properties involved.

#

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$

Method of Payment:

Enclosed

Deposit Account

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

Authorization to charge additional fees:

Yes

No

**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. Charges to deposit account are authorized, as indicated herein.

BRIAN L. PETREQUIN, ESQ.  
Name of Person Signing

  
Signature

JULY 7, 2000  
Date Signed

ASSIGNMENT OF TRADEMARK

This Assignment is made this \_\_\_\_ day of September, 1998 by and between the BERNSTEIN GROUP, LLC, a Delaware limited liability company and the ETHAN GROUP, LLC, a Delaware limited liability company (collectively the "Assignor") and PRACTICE BUILDER ORGANIZATION ACQUISITION CO., INC., a Delaware corporation ("Assignee").

WHEREAS, Assignor has adopted and used in its business the trademarks and servicemarks (the "Trademarks") identified in the ASSET PURCHASE AGREEMENT of even date herewith (the "Purchase Agreement") and listed on Schedule A attached hereto and made a part hereof and is otherwise the owner of the trademark and/or servicemark registration referenced therein; and

WHEREAS, the Assignee is purchasing the Trademark from Assignor pursuant to the Purchase Agreement;

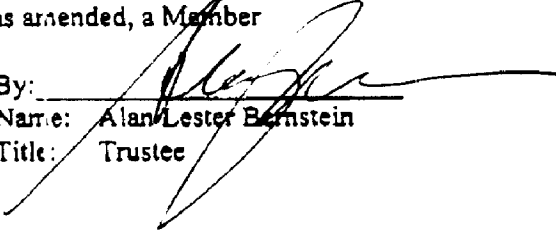
NOW, THEREFORE, in consideration of and exchange for the sum of \$1.00 and other good and valuable consideration, the receipt of which is hereby acknowledged, Assignor does sell, assign, transfer and set over unto Assignee its entire right, title and interest in and to the Trademark, the registration therefor and any renewals thereof as identified in Schedule A, together with the good will symbolized by and associated with the business in connection with which the Trademark is used, all income, royalties, and payments now or hereafter due or payable in respect thereto, and all causes of action either in law or equity, for past, present or future infringement based upon the Trademark. Assignor further agrees to execute all papers and to perform such other acts as Assignee may deem necessary to secure to it the rights hereby assigned.

IN WITNESS WHEREOF, Assignor has caused this Assignment to be executed by its duly authorized officer on the date first above written.

ASSIGNORS:

BERNSTEIN GROUP, L.L.C.

Alan Lester Bernstein Family 1993 Trust dated June 1, 1998, as amended, a Member

By:   
Name: Alan Lester Bernstein  
Title: Trustee

Usher Group, L.L.C., Majority Member

By: [Signature]  
Name: Alan L. Bernstein  
Title: President

**THE ETHAN GROUP, L.L.C.**

Alan Lester Bernstein Family 1993 Trust dated June 1, 1993, as amended, a Member

By: [Signature]  
Name: Alan Lester Bernstein  
Title: Trustee

Brosche Family 1991 Trust dated July 25, 1991, as amended, a Member

By: [Signature]  
Name: Paul Harry Brosche  
Title: Trustee

By: \_\_\_\_\_  
Name: Susan Rose Brosche  
Title: Trustee

Usher Group, L.L.C., Majority Member

By: [Signature]  
Name: ALAN BERNSTEIN  
Title: PRES.

**INDEMNIFYING MEMBERS (as to Sections 2.6, 10, 13 and 14 only):**

Alan Lester Bernstein Family 1993 Trust dated June 1, 1998, as amended, a Member of the Bernstein Group, L.L.C.

By: [Signature]  
Name: Alan Lester Bernstein  
Title: Trustee

Usher Group, L.L.C., a Member of the Bernstein Group, L.L.C.

By: [Signature]  
Name: Alan L. Bernstein  
Title: President

Brosche Family 1991 Trust dated July 25, 1991, as amended, a Member of Ethan Group, LLC

By: [Signature]  
Name: Paul Harry Brosche

Usher Group, L.L.C., Majority Member

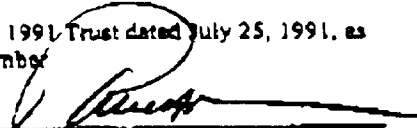
By: \_\_\_\_\_  
Name: Alan L. Bernstein  
Title: President

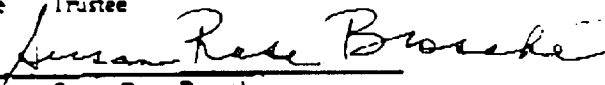
**THE ETHAN GROUP, L.L.C.**

Alan Lester Bernstein Family 1993 Trust dated June 1, 1993, as amended, a Member

By: \_\_\_\_\_  
Name: Alan Lester Bernstein  
Title: Trustee

Brosche Family 1991 Trust dated July 25, 1991, as amended, a Member

By:   
Name: Paul Harry Brosche  
Title: Trustee

By:   
Name: Susan Rose Brosche  
Title: Trustee

Usher Group, L.L.C., Majority Member

By: \_\_\_\_\_  
Name:  
Title:

**INDEMNIFYING MEMBERS (as to Sections 2.6, 10, 13 and 14 only):**

Alan Lester Bernstein Family 1993 Trust dated June 1, 1998, as amended, a Member of the Bernstein Group, L.L.C.

By: \_\_\_\_\_  
Name: Alan Lester Bernstein  
Title: Trustee

Usher Group, L.L.C., a Member of the Bernstein Group, L.L.C.

By: \_\_\_\_\_  
Name: Alan L. Bernstein  
Title: President

Brosche Family 1991 Trust dated July 25, 1991, as amended, a Member of Ethan Group, L.L.C.

By:   
Name: Paul Harry Brosche

Title: Trustee

By: \_\_\_\_\_

Name: Susan Rose Brosche

Title: Trustee

Alan Lester Bernstein Family 1993 Trust dated June 1, 1998, as amended, a Member of the Eban Group, LLC

By: \_\_\_\_\_

Name: Alan Lester Bernstein

Title: Trustee

**ALAN L. BERNSTEIN AND PAUL H. BROSCHÉ AS TO SECTION 11:**

\_\_\_\_\_  
Alan L. Bernstein, individually

\_\_\_\_\_  
Paul H. Brosche, individually

Title: Trustee

By: Susan Rose Brosche

Name: Susan Rose Brosche

Title: Trustee

Alan Lester Bernstein Family 1993 Trust dated June 1, 1998, as amended, a Member of the Ethan Group, LLC

By: \_\_\_\_\_

Name: Alan Lester Bernstein

Title: Trustee

ALAN L. BERNSTEIN AND PAUL H. BROSCHÉ AS TO SECTION 11:

\_\_\_\_\_  
Alan L. Bernstein, individually

Paul H. Brosche

\_\_\_\_\_  
Paul H. Brosche, individually

State of CALIFORNIA

County of ORANGE

On SEPTEMBER 24, 1998 before me, DEVON D. GRANT  
DATE NAME, TITLE OF OFFICER - E.G. "JANE DOE, NOTARY PUBLIC"

personally appeared ALAN L. STER BENSTEIN  
NAME(S) OF SIGNER(S)

personally known to me - OR -  proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Devon D. Grant  
SIGNATURE OF NOTARY

**OPTIONAL**

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

**CAPACITY CLAIMED BY SIGNER**

- INDIVIDUAL
- CORPORATE OFFICER

TITLE(S)

- PARTNER(S)  LIMITED  GENERAL

ATTORNEY-IN-FACT

TRUSTEE(S) of the Alan Luster Bernstein Family Trust  
MEMBER OF BERNSTEIN GROUP LLC Ethan Group LLC

GUARDIAN/CONSERVATOR

OTHER: President of Luster Group LLC, Member of Bernstein Group, LLC and Ethan Group LLC

**SIGNER IS REPRESENTING:**  
NAME OF PERSON(S) OR ENTITY(IES)

**DESCRIPTION OF ATTACHED DOCUMENT**

ASSIGNMENT OF TRADEMARK  
TITLE OR TYPE OF DOCUMENT

3 + Attachments  
NUMBER OF PAGES

DATE OF DOCUMENT

SIGNER(S) OTHER THAN NAMED ABOVE



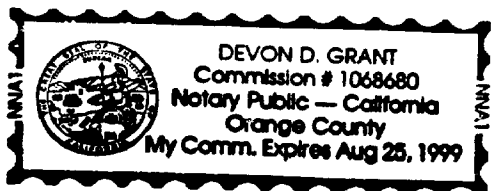
State of California

County of Orange

On September 24, 1998 before me, DEVON D. GRANT  
DATE NAME, TITLE OF OFFICER - E.G. "JANE DOE" NOTARY PUBLIC

personally appeared Paul H Brosche  
NAME(S) OF SIGNER(S)

personally known to me - OR -  proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal  
Devon D. Grant  
SIGNATURE OF NOTARY

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

- INDIVIDUAL
- CORPORATE OFFICER
- \_\_\_\_\_ TITLE(S)
- PARTNER(S)       LIMITED
- GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER: \_\_\_\_\_

DESCRIPTION OF ATTACHED DOCUMENT

Assignment of Trademark  
TITLE OR TYPE OF DOCUMENT

3 + Attachments  
NUMBER OF PAGES

\_\_\_\_\_  
DATE OF DOCUMENT

\_\_\_\_\_  
SIGNER(S) OTHER THAN NAMED ABOVE

SIGNER IS REPRESENTING:  
NAME OF PERSON(S) OR ENTITY(IES)  
Brosche Family 1991 Trust, Member of Ethan Group, LLC

**Schedule A. Trademark**

(to be attached)

# The United States of America



Nº 1739819

## CERTIFICATE OF REGISTRATION

This is to certify that the records of the Patent and Trademark Office show that an application was filed in said Office for registration of the Mark shown herein, a copy of said Mark and pertinent data from the Application being annexed hereto and made a part hereof,

And there having been due compliance with the requirements of the law and with the regulations prescribed by the Commissioner of Patents and Trademarks,

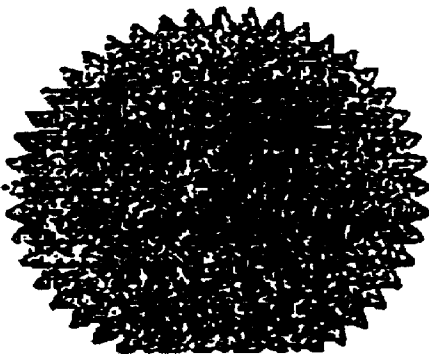
Upon examination, it appeared that the applicant was entitled to have said Mark registered under the Trademark Act of 1946, as amended, and the said Mark has been duly registered this day in the Patent and Trademark Office on the

## PRINCIPAL REGISTER

to the registrant named herein.

This registration shall remain in force for TEN years unless sooner terminated as provided by law.

In Testimony Whereof I have hereunto set my hand and caused the seal of the Patent and Trademark Office to be affixed this fifteenth day of December 1992.



*Doyle E. Land*

TRADEMARK  
REEL: 002118 FRAME: 0313

Int. Cl.: 16

Prior U.S. Cl.: 38

**United States Patent and Trademark Office**

Reg. No. 1,739,819

Registered Dec. 15, 1992

**TRADEMARK  
PRINCIPAL REGISTER**

**THE PRACTICE BUILDER**

EVERGREEN GROUP, THE (CALIFORNIA  
CORPORATION)  
2755 BRISTOL STREET, SUITE 100  
COSTA MESA, CA 926265909

FOR: NEWSLETTERS AND REPORTS FOR  
PROFESSIONALS IN THE FIELD OF MAXI-  
MIZING PRACTICE REVENUES, IN CLASS 16  
(U.S. CL. 38).

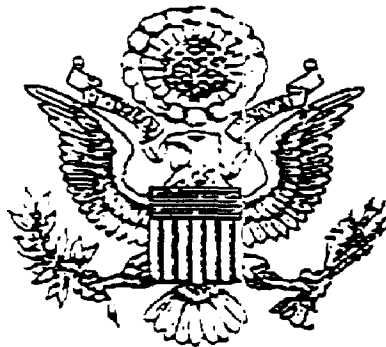
FIRST USE 9-1-1983; IN COMMERCE  
9-1-1983.

OWNER OF U.S. REG. NO. 1,572,569.

SER. NO. 74-267,594, FILED 4-20-1992.

JENNIFER BRUST, EXAMINING ATTORNEY

# The United States of America



Nº 1740153

## CERTIFICATE OF REGISTRATION

This is to certify that the records of the Patent and Trademark Office show that an application was filed in said Office for registration of the Mark shown herein, a copy of said Mark and pertinent data from the Application being annexed hereto and made a part hereof,

And there having been due compliance with the requirements of the law and with the regulations prescribed by the Commissioner of Patents and Trademarks,

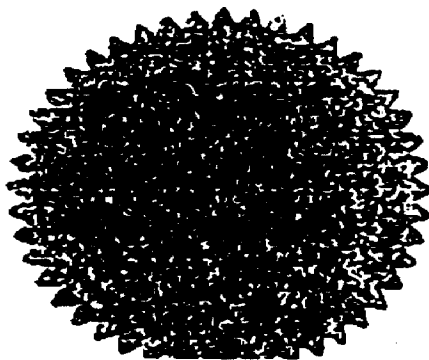
Upon examination, it appeared that the applicant was entitled to have said Mark registered under the Trademark Act of 1946, as amended, and the said Mark has been duly registered this day in the Patent and Trademark Office on the

## PRINCIPAL REGISTER

to the registrant named herein.

This registration shall remain in force for TEN years unless sooner terminated as provided by law.

In Testimony Whereof I have hereunto set my hand and caused the seal of the Patent and Trademark Office to be affixed this fifteenth day of December 1992.



Acting Commissioner of Patents and Trademarks

TRADEMARK  
REEL: 002118 FRAME: 0315

Int. Cl.: 35

Prior U.S. Cl.: 101

**United States Patent and Trademark Office**

Reg. No. 1,740,153

Registered Dec. 15, 1992

**SERVICE MARK  
PRINCIPAL REGISTER**

**THE PRACTICE BUILDER**

EVERGREEN GROUP, THE (CALIFORNIA  
CORPORATION)  
2755 BRISTOL STREET, SUITE 100  
COSTA MESA, CA 926265909

FOR: ADVERTISING SERVICES; NAMELY,  
ADVERTISING AGENCY, MARKETING,  
DIRECT MAIL AND PUBLIC RELATIONS  
SERVICES, IN CLASS 35 (U.S. CL. 101).

FIRST USE 8-1-1984; IN COMMERCE  
8-1-1984.

OWNER OF U.S. REG. NO. 1,572,569.

SER. NO. 74-267,595, FILED 4-20-1992.

JENNIFER DRUST, EXAMINING ATTORNEY

**TRADEMARK  
REEL: 002118 FRAME: 0316**

# The United States of America



Nº 1740308

## CERTIFICATE OF REGISTRATION

This is to certify that the records of the Patent and Trademark Office show that an application was filed in said Office for registration of the Mark shown herein, a copy of said Mark and pertinent data from the Application being annexed hereto and made a part hereof,

And there having been due compliance with the requirements of the law and with the regulations prescribed by the Commissioner of Patents and Trademarks,

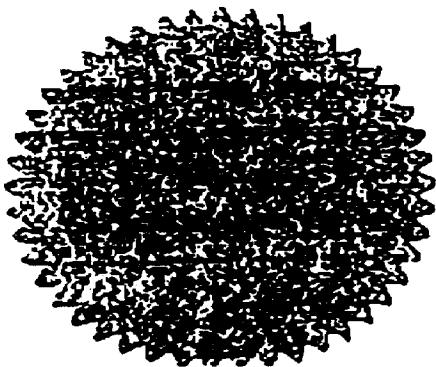
Upon examination, it appeared that the applicant was entitled to have said Mark registered under the Trademark Act of 1946, as amended, and the said Mark has been duly registered this day in the Patent and Trademark Office on the

## PRINCIPAL REGISTER

to the registrant named herein.

This registration shall remain in force for TEN years unless sooner terminated as provided by law.

In Testimony Whereof I have caused to set my hand and caused the seal of the Patent and Trademark Office to be hereunto affixed this fifteenth day of December 1956.



Acting Commissioner of Patents

TRADEMARK  
REEL: 002118 FRAME: 0317

Int. Cl.: 41

Prior U.S. Cl.: 107

**United States Patent and Trademark Office**

Reg. No. 1,740,308

Registered Dec. 15, 1992

**SERVICE MARK  
PRINCIPAL REGISTER**

**THE PRACTICE BUILDER**

EVERGREEN GROUP, THE (CALIFORNIA  
CORPORATION)  
2755 BRISTOL STREET, SUITE 100  
COSTA MESA, CA 926265909

FOR: CONDUCTING WORKSHOPS FOR  
PROFESSIONALS IN THE FIELD OF MAXI-  
MIZING PRACTICE REVENUES. IN CLASS 41  
(U.S. CL. 107).

FIRST USE 9-1-1987; IN COMMERCE  
9-1-1987.

OWNER OF U.S. REG. NO. 1,572,569.

SER. NO. 74-267,561, FILED 4-20-1992.

JENNIFER BRUST, EXAMINING ATTORNEY



# The United States of America



Nº 1738841

## CERTIFICATE OF REGISTRATION

This is to certify that the records of the Patent and Trademark Office show that an application was filed in said Office for registration of the Mark shown herein, a copy of said Mark and pertinent data from the Application being annexed hereto and made a part hereof,

And there having been due compliance with the requirements of the law and with the regulations prescribed by the Commissioner of Patents and Trademarks,

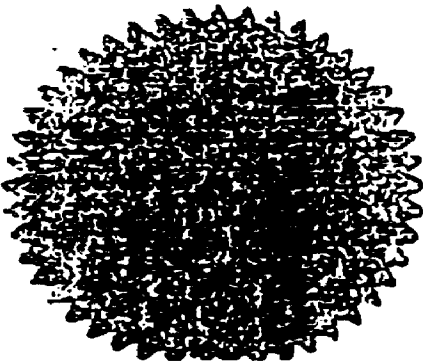
Upon examination, it appeared that the applicant was entitled to have said Mark registered under the Trademark Act of 1946, as amended, and the said Mark has been duly registered this day in the Patent and Trademark Office on the

PRINCIPAL REGISTER

to the registrant named herein.

This registration shall remain in force for TEN years unless sooner terminated as provided by law.

In Testimony Whereof I have hereunto set my hand and caused the seal of the Patent and Trademark Office to be affixed this eighth day of December 1992.



*Douglas B. Lund*

TRADEMARK  
REEL: 002118 FRAME: 0319

Int. Cl.: 42

Prior U.S. Cl.: 100

**United States Patent and Trademark Office** Reg. No. 1,738,841  
Registered Dec. 8, 1992

**SERVICE MARK  
PRINCIPAL REGISTER**

**THE PRACTICE BUILDER**

EVERGREEN GROUP, THE (CALIFORNIA  
CORPORATION)  
2755 BRISTOL STREET, SUITE 100  
COSTA MESA, CA 926265909

FOR: CUSTOM IMPRINTING OF NOVELTY  
AND GIFT ITEMS, IN CLASS 42 (U.S. CL. 100).

FIRST USE 11-1-1988; IN COMMERCE  
11-1-1988.

OWNER OF U.S. REG. NO. 1,572,569.

SER. NO. 74-267,562, FILED 4-20-1992.

JENNIFER BRUST, EXAMINING ATTORNEY

**PBA/EVG**  
**db's and Trademarks**

<u>Pictitious Business Name</u>	<u>Registrant</u>	<u>Date Filed</u>	<u>Description</u>	<u>Reg. No.</u>	<u>Date Registered</u>
The Practice Builder	The Evergreen Group	11/23/93			
The Marketing Council, The Council for Real Estate Marketing, The Council for Insurance Marketing, The Council for Restaurant Marketing, The Council for Printers' Marketing	The Evergreen Group	11/16/93			
Practice Builder Press	The Evergreen Group	12/23/94			
The Practice Builders Buying Club	The Evergreen Group	4/14/95			
Practice Builder Worldwide	Alan Bernstein/JPaul Browne	3/31/96			
<u>Trademark</u>	<u>Registrant</u>				
The Practice Builder (Trademark)	Evergreen Group		Newsletters & Reports for Professionals in the Field of Maximizing Practice Revenues (Class 16)	1,739,819	12/15/92
The Practice Builder (Service Mark)	Evergreen Group		Advertising Services; Namely, Advertising Agency, Marketing, Direct Mail & Public Relations Services (Class 35)	1,740,153	12/15/92
The Practice Builder (Service Mark)	Evergreen Group		Conducting Workshops for Professionals in the Field of Maximizing Practice Revenues (Class 41)	1,740,308	12/15/92
The Practice Builder (Service Mark)	Evergreen Group		Custom Imprinting of Novelty & Gift Items (Class 42)	1,738,841	12/8/92

RECORDED & INDEXED 11 14 05 2443 07/08 70 10:20 NC:RPA 03