

02-02-2001

Y



101604452

To the Honorable Commissioner of Pat  
thereof.

attached original documents or copy

1. Name of conveying party(ies):

Walter J. Mueller, Inc.  
3711 Chester Avenue  
Cleveland, OH 44114

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

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

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

Name: Dealer Tire, LLC  
Internal Address: \_\_\_\_\_  
Street Address: 3711 Chester Avenue  
City: Cleveland State: OH ZIP: 44114  
Individual(s) citizenship \_\_\_\_\_  
Association \_\_\_\_\_  
General Partnership \_\_\_\_\_  
Limited Partnership \_\_\_\_\_  
Corporation-State \_\_\_\_\_  
 Other Limited Liability Company - Delaware

3. Nature of conveyance:

Assignment  Merger  
 Security Agreement  Change of Name  
 Other \_\_\_\_\_

Execution Date: December 15, 2000

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)  
76/005,369

Additional numbers \_\_\_\_\_

B. Trademark Registration No.(s)

**RECEIVED**

JAN 26 2001

Yes  No

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

Name: Arthi K. Tirey  
Benesch, Friedlander, Coplan & Aronoff LLP  
Internal Address: \_\_\_\_\_  
02/02/2001 6TON11 00000100 76005369  
01 FC:481 40.00 OP  
Street Address: 2300 BP Tower  
200 Public Square  
City: Cleveland State: OH ZIP: 44114

6. Total number of applications and trademarks involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00  
 Enclosed  
 Authorized to be charged to deposit account

8. Deposit account number:  
02-2051  
(Attach duplicate copy of this page if paying by deposit account)

**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.

Arthi K. Tirey Arthi K. Tirey JANUARY 26, 2001  
Name of Person Signing Signature Date

Total number of pages including cover sheet, attachments, and 3

ASSIGNMENT OF TRADEMARKS

WHEREAS, Walter J. Mueller, Inc., an Ohio corporation ("Assignor"), owns all right, title and interest in the trademarks and/or applications for trademarks listed on the attached Schedule A (the "Trademarks");

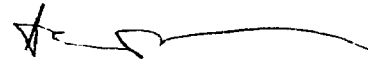
WHEREAS, Dealer Tire, LLC, a Delaware limited liability company ("Assignee"), is desirous of acquiring the Trademarks, and the goodwill associated therewith;

WHEREAS, Assignor and Assignee have entered into an Agreement (the "Agreement") of even date herewith pursuant to which Assignor has agreed to convey and assign the Trademarks to Assignee;

NOW, THEREFORE, in consideration of the agreements made by Assignee under the Agreement and for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby assign and transfer unto Assignee Assignor's entire and undivided right, title and interest in and to the Trademarks, together with all the associated goodwill of its business symbolized thereby and all registrations of same, as well as all rights to injunctive relief, damages or profits, due or accrued, arising out of all causes of action, past, present, and future, including infringement of the Trademarks, or other violations, or injury to the said goodwill, and the right to sue for and recover the same in Assignee's own name and the names of Assignee's successors, assigns or other legal representatives.

IN WITNESS WHEREOF, this Assignment has been executed this 15th day of December, 2000.

WALTER J. MUELLER, INC.


By:   
Name: Scott Mueller  
Title: Secretary and Treasurer

STATE OF OHIO )  
 ) ss:  
COUNTY OF CUYAHOGA )

On this 15th day of December, 2000, before me appeared Scott Mueller the person who signed this instrument, who acknowledged that she/he signed it as a free act on behalf of Walter J. Mueller, Inc., with authority to do so.

SEAL

Notary Public



DONNA FULLER, Notary Public  
State Of Ohio, Cuyahoga County  
My Commission Expires Dec. 3, 2003