

04-23-2001



REGISTRATION FORM COVER SHEET  
TRADEMARKS ONLY

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

101683238

Patent and Trademark Office: Please record the attached original documents or copy thereof.

MRD  
3/26/01

1. Name of conveying party (ies):

Bernstein Technologies Inc.

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

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

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

Name: Alliance Capital Management L.P.

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

Street Address: 1345 Avenue of the Americas

City: New York State: NY ZIP: 10105

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

If assignment 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) and addresses attached?  Yes  No

3. Nature of conveyance:

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

405

Execution Date: October 2, 2000

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

A. Trademark Application No.(s)

BERNSTEIN AND DESIGN (NEW BEE) 76/083,635

Additional numbers attached?  Yes  No

B. Trademark Registration No.(s)

BERNSTEIN	1,184,126
BERNSTEIN AND DESIGN (BEE)	1,182,425
DESIGN (BEE)	1,197,375
DESIGN (NEW BEE)	2,425,575
THE INFORMED CHOICE	1,848,338

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

Name: Andrew P. Bridges

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

Wilson Sonsini Goodrich & Rosati

Professional Corporation

Street Address: 650 Page Mill Road

City: Palo Alto State: California ZIP: 94304

6. Total number of applications and registrations involved: ..... 6

7. Total fee (37 CFR 3.41)

\$165.00

- Enclosed
- Authorized to be charged to deposit account

If fee is insufficient, please charge

8. Deposit account number:

23-2415 Attn.: 20409-900

(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.

John C. Nishi

Name of Person Signing

*[Signature]*

Signature

March 20, 2001

Date

Total number of pages including cover sheet, attachments, and document: 12

Mail documents to be recorded with required cover sheet information to:  
Director of the United States Patent and Trademark Office, Box Assignments  
Washington, D.C. 20231

**ASSIGNMENT OF TRADEMARKS, TRADEMARK APPLICATIONS  
AND TRADEMARK REGISTRATION**

THIS ASSIGNMENT is made this 2<sup>nd</sup> day of October, 2000, by  
BERNSTEIN TECHNOLOGIES, INC., a California corporation, having its  
principal place of business at 720 University Avenue, Suite 200, Palo Alto,  
California 94301-2128, hereinafter referred to as "BTI".

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**WITNESSETH:**

WHEREAS, BTI is the owner of the entire worldwide right, title and  
interest in and to the Trademarks and any registrations and applications therefore  
as listed in Schedule A;

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WHEREAS, ALLIANCE CAPITAL MANAGEMENT L.P., a Delaware  
limited partnership, having its principal place of business at 1345 Avenue of the  
Americas, New York, New York 10105, hereinafter referred to as the "Buyer", is  
desirous of acquiring the entire worldwide right, title and interest in and to said  
Trademarks and any registrations and applications therefore.

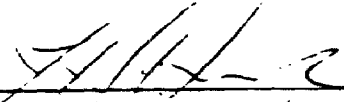
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NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00)  
and other good and valuable consideration, receipt and sufficiency of which is  
hereby acknowledged, and pursuant to the Amended and Restated Acquisition  
Agreement dated as of October 2, 2000 (the "Agreement") among Buyer,  
Alliance Capital Management Holding L.P., Alliance Capital Management LLC,  
Sanford C. Bernstein Inc., BTI, SCB Partners Inc., Sanford C. Bernstein & Co.,  
LLC and SCB LLC, BTI does hereby sell, assign, transfer, set over and convey  
unto the Buyer, as of the date first above written, without warranty or recourse  
except as set forth in the Agreement, all its right, title and interest, in and to said  
Trademarks and any registrations and applications therefore together with the  
good will of the business symbolized by said trademarks.

ALL OF THE FOREGOING to be held and enjoyed by the Buyer for its  
own use and for the use of its successors, assigns or other legal representatives, as  
fully and entirely as the same would have been held and enjoyed by BTI if this  
transfer to the Buyer had not been made.

IN WITNESS WHEREOF, BTI has caused this instrument of assignment to be executed and its corporate seal to be hereunto affixed.


**BERNSTEIN TECHNOLOGIES INC.**

By:   
Name: LOUIS L. H. PROJECT  
Title: SENIOR PROJECT MANAGER

STATE OF \_\_\_\_\_ )  
 ) ss.:  
COUNTY OF \_\_\_\_\_ )

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared \_\_\_\_\_, a [title] of BERNSTEIN TECHNOLOGIES, INC., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of such Corporation, and that he executed the same for and as the act of such Corporation for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 2<sup>nd</sup> day of October, 2000.

  
\_\_\_\_\_  
Notary Public

KIMBERLY M. YULE  
NOTARY PUBLIC, State of New York  
No. 01YU6087527  
Qualified in Kings County  
Cert. Filed in New York County  
Commission Expires Nov. 3, 2001

27 Sep 00

CountryName	TrademarkName	Class	FileDate	AppNumber	RegDate	RegNumber	Status	CaseNumber
Australia	BERNSTEIN	36	05 May 98 761295		05 May 98 761295		Registered	20409 TM2008
Australia	DESIGN (NEW BELZ)	36	30 Mar 99 789862		30 Mar 99 789862		Registered	20409 TM2019
Australia	BARFOOD C. BERNSTEIN	36	05 May 98 761294		05 May 98 761294		Registered	20409 TM2007
Canada	BERNSTEIN	Class	07 Jan 99 1001289				Filed	CaseNumber
Canada	DESIGN (NEW BELZ)						Received	20409 TM2010
Canada	BARFOOD C. BERNSTEIN						Sub. INACT	20409 TM2009
European Community	BERNSTEIN	16, 35, 36	02 May 98 810508		18 Nov 99 810508		Registered	CaseNumber
European Community	DESIGN (NEW BELZ)	16, 35, 36	29 Mar 99 1121599				Registered	20409 TM2016
European Community	BARFOOD C. BERNSTEIN	16, 35, 36	02 May 98 810507				Published	20409 TM2021
CountryName	TrademarkName	Class	FileDate	AppNumber	RegDate	RegNumber	Status	CaseNumber
Hong Kong	BERNSTEIN	36	30 Apr 98 55831998		30 Apr 98 16746/1999		Opposed	20409 TM2015
Hong Kong	DESIGN (NEW BELZ)	16	29 Mar 99 18171099		17 Jan 00 916/21001		Registered	CaseNumber
Hong Kong	BARFOOD C. BERNSTEIN	36	30 Apr 98 55821998		30 Apr 98 16745/1999		Registered	20409 TM2004
CountryName	TrademarkName	Class	FileDate	AppNumber	RegDate	RegNumber	Status	CaseNumber
Japan	BERNSTEIN	36	30 Apr 98 037356/1998		15 Oct 99 4335996		Registered	20409 TM2003
Japan	DESIGN (NEW BELZ)	36	29 Mar 99 027946/1999				Registered	CaseNumber
Japan	BARFOOD C. BERNSTEIN	36	30 Apr 98 37355/1998		05 Nov 99 4312764		Filed	20409 TM2021
CountryName	TrademarkName	Class	FileDate	AppNumber	RegDate	RegNumber	Status	CaseNumber
Norway	BERNSTEIN	36	30 Apr 98 9803806		10 Sep 98 192821		Registered	20409 TM2001
Norway	DESIGN (NEW BELZ)	36	30 Mar 99 1999 03186		01 Feb 00 201 565		Registered	CaseNumber
Norway	BARFOOD C. BERNSTEIN	36	30 Apr 98 1998 03805		10 Sep 98 192820		Registered	20409 TM2014
CountryName	TrademarkName	Class	FileDate	AppNumber	RegDate	RegNumber	Status	CaseNumber
Singapore	BERNSTEIN	36	08 Oct 98 10161/98				Published	20409 TM2013
Singapore	DESIGN (NEW BELZ)	36	27 Apr 99 4237/99				Filed	CaseNumber
Singapore	BARFOOD C. BERNSTEIN	36	20 May 98 4755/98				Filed	20409 TM2006
Switzerland	BERNSTEIN	Class	01 May 98 03513/1998		01 May 98 455 518		Status	20409 TM2025
Switzerland	DESIGN (NEW BELZ)	16	29 Mar 99 02785/1999		29 Mar 99 463 476		Registered	CaseNumber
Switzerland	BARFOOD C. BERNSTEIN	16	01 May 98 03512/1998		01 May 98 455 527		Registered	20409 TM2012
CountryName	TrademarkName	Class	FileDate	AppNumber	RegDate	RegNumber	Status	CaseNumber
United Kingdom	BERNSTEIN	16, 16	21 Oct 98 21801354		23 Oct 98 21801354		Registered	20409 TM2026
United Kingdom	DESIGN (NEW BELZ)	16	29 Mar 99 2193126		29 Mar 99 21801364		Registered	CaseNumber
United Kingdom	BARFOOD C. BERNSTEIN	16, 16	21 Oct 98 21801364		23 Oct 98 21801364		Registered	20409 TM2011
CountryName	TrademarkName	Class	FileDate	AppNumber	RegDate	RegNumber	Status	CaseNumber
United States of America	BERNSTEIN	36	17 Oct 80 73,262,150		29 Mar 81 1184126		Registered	20409 TM2017

Associate is handling the response to office action re surname objection  
Waiting for proposed or actual use from client

Opposed by Francisco Arajol Blanquel, associate is working on settlement

Response to Office Action filed 7/19/2000

No opposition during publication, mark will register

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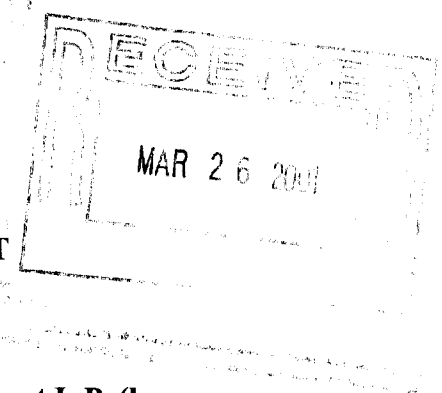
United States of America	BERNSTEIN AND DESIGN BEE W/ SQUARE PERSON)	15 Dec 81	118,425	Registered	20-099 TM 1001
United States of America	BERNSTEIN AND DESIGN YEP BEER	17 Oct 80 73/282,152		Filed	20-099 TM 1007
United States of America	BERNSTEIN PROFESSION L ADVISORY NETWORK (SPECIAL PLACE)	05 Jul 80 76/063,635		Such INAL T	20-099 TM 1004
United States of America	DESIGN (NEW BEER)	17 Oct 80 73/282,151	08 Jun 82	Registered	20-099 TM 1004
United States of America	THE IMPROVED CHOICE	18 Aug 80 75/538,436	11 07 75	Altered	20-099 TM 1001
United States of America		06 Jul 92 74/292,452	02 Aug 94	Registered	20-099 TM 1005

Statement of Use filed 7/10/2000



March 20, 2001

Box ASSIGNMENT FEE  
Director - U.S. Patent and Trademark Office  
Washington, D.C. 20231



**Re: REQUEST FOR RECORDATION OF ASSIGNMENT**

**Mark:** BERNSTEIN  
**Registration No.:** 1,184,126  
**Registrant:** Alliance Capital Management L.P. (by assignment from Bernstein Technologies Inc.)  
**Registration Date:** December 29, 1981  
**Attorney Docket No.:** 20409-TM1002

**Mark:** BERNSTEIN AND DESIGN (BEE)  
**Registration No.:** 1,182,425  
**Registrant:** Alliance Capital Management L.P. (by assignment from Bernstein Technologies Inc.)  
**Registration Date:** December 15, 1981  
**Attorney Docket No.:** 20409-TM1003

**Mark:** DESIGN (BEE)  
**Registration No.:** 1,197,375  
**Registrant:** Alliance Capital Management L.P. (by assignment from Bernstein Technologies Inc.)  
**Registration Date:** June 8, 1982  
**Attorney Docket No.:** 20409-TM1004

**Mark:** THE INFORMED CHOICE  
**Registration No.:** 1,848,338  
**Registrant:** Alliance Capital Management L.P. (by assignment from Bernstein Technologies Inc.)  
**Registration Date:** August 2, 1994  
**Attorney Docket No.:** 20409-TM1005

CERTIFICATE OF MAILING UNDER  
37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Director - U.S. Patent and Trademark Office, Washington, D.C. 20231, on:

Launa Horland  
Print Name  
Launa Horland  
Signature

3-20-01  
Date of Deposit  
3-20-01  
Date

Box Assignment Fee  
March 20, 2001  
Page 2

**Mark:** DESIGN (NEW BEE)  
**Registration No.:** 2,425,575  
**Registrant:** Alliance Capital Management L.P. (by  
assignment from Bernstein Technologies Inc.)  
**Registration Date:** January 30, 2001  
**Attorney Docket No.:** 20409-TM1001

**Mark:** BERNSTEIN AND DESIGN (NEW BEE)  
**Application No.:** 76/083,635  
**Registrant:** Alliance Capital Management L.P. (by  
assignment from Bernstein Technologies Inc.)  
**Application Date:** July 5, 2000  
**Attorney Docket No.:** 20409-TM1007

Dear Director:

Enclosed for filing is an Assignment of Trademarks and a duly executed Recordation Form Cover Sheet to record the assignment by Bernstein Technologies Inc. of the above referenced marks to Alliance Capital Management L.P.

Also enclosed is a check made payable to the "Director – U.S. Patent and Trademark Office" in the amount of \$165.00 for the recording of the assignment. The Director is authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 23-2415 ATTN: 20409-900.

Please return the confirmation of the assignment with the stamped reel and frame numbers to the address shown below and please take note that all correspondence regarding the enclosed assignment and the related registrations should be directed to:

Trademark Docket  
Michael D. Pogue  
Wilson Sonsini Goodrich & Rosati  
Professional Corporation  
650 Page Mill Road  
Palo Alto, CA 94304  
Telephone: (650) 493-9300  
Facsimile: (650) 493-6811

I would appreciate your acknowledging receipt of the enclosed assignment, Recordation Form Cover Sheet, and check in the amount of \$165.00 for filing fees by stamping the enclosed postcard with the date received and returning it to me.