

5/23/01

05-31-2001

Form PTO-1594 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002) Tab settings



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U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

American Basketball League, Inc.

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

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

2. Name and address of receiving party(ies) Insurance Co.

Name: Phoenix Home Life Mutual Co.

Internal Address:

Street Address: One American Row

City: Hartford State: CT Zip: 06102

- Individual(s) citizenship Association General Partnership Limited Partnership Corporation-State New York 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

3. Nature of conveyance:

- Assignment Merger Security Agreement Change of Name Other

Execution Date: April 23, 2001

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

2, 151, 448

2, 153, 053

Additional number(s) attached Yes No

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

Name: Monica B. Richman, Esq.

Internal Address: 21st Floor

Street Address: 120 West 45th Street

City: New York State: NY Zip: 10036

6. Total number of applications and registrations involved: 2

7. Total fee (37 CFR 3.41): \$ 65.00

- Enclosed Authorized to be charged to deposit account

8. Deposit account number:

(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.

Monica B. Richman

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: 4

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

Intellectual Property Assignment

WHEREAS, American Basketball League, Inc. a California corporation ("Assignor") with its principal place of business at Palo Alto, California has adopted and used and is the owner of certain intellectual property with respect to the New England Blizzard basketball team, including, without limitation, the name "New England Blizzard," all associated trademarks, service marks and registrations therefore, (including, but not limited to United States Trademark Registration No. 2,151,448 and No. 2,153,053), and to the extent that Assignor owns rights or interests in related intellectual property, including, without limitation, trade dress, trade names, copyrights, logos and artwork, photographs, advertisements, works for hire, and all records identifying holders of season tickets to New England Blizzard games, the goodwill and any other property associated with the New England Blizzard basketball team (collectively, the "New England Blizzard IP"); and

WHEREAS, Phoenix Home Life Mutual Insurance Company, a New York corporation ("Assignee") with its principal place of business at One American Row, Hartford, CT 06102 desires to acquire said New England Blizzard IP,

WHEREAS Assignor is the debtor and debtor-in-possession in a case pending under Chapter 11 of the United States Bankruptcy Code, 11 U.S.C. §101, *et. seq.* (the "Bankruptcy Code") in the United States Bankruptcy Court for the Northern District of California, San Jose Division (the "Bankruptcy Court"), Case No. 98-60354MM (the "Bankruptcy Case"), having filed its voluntary petition on December 31, 1998 (the "Petition Date").

WHEREAS on or about March 14, 2000, the Bankruptcy Court approved that certain Comprehensive Settlement Agreement, Release And Allowance Of Claims And Interests authorizing the Assignor to assign the New England Blizzard IP to the Assignee.

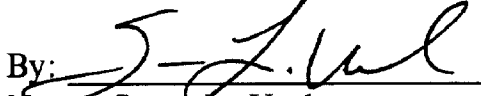
NOW, THEREFORE, for good and valuable consideration, the receipt, sufficiency, and adequacy of which are hereby acknowledged, Assignor does hereby assign to Assignee, its successors and assigns, absolutely and forever, all of its right, title and interest, whether statutory or at common law, in and to the New England Blizzard IP throughout the world, together with the goodwill of the business associated with the trademarks and service marks and all causes of action for any and all previously occurring infringements of the rights being assigned and the right to receive and retain the proceeds relating to those infringements.

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Assignor agrees to execute such further papers and do such other acts as may be necessary and proper to vest full title in and to all the New England Blizzard IP in the Assignee or which may be necessary to obtain, renew, issue or enforce same.

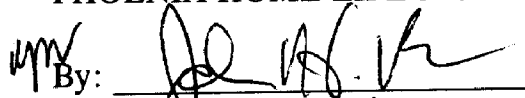
IN WITNESS WHEREOF, American Basketball League, Inc. has caused this Trademark Assignment to be executed and delivered as of this 23rd day of April, 2001.

AMERICAN BASKETBALL LEAGUE, INC.

By: 
Name: Susan L. Uecker
Title: Plan Administrator

IN WITNESS WHEREOF, Phoenix Home Life Mutual Insurance Company accepts this Assignment executed and delivered as of this 27th day of April, 2001.

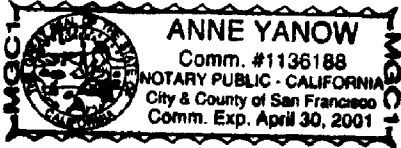
PHOENIX HOME LIFE MUTUAL INSURANCE COMPANY

By: 
Name: John H. Beers
Title: Vice President

STATE OF CALIFORNIA)
COUNTY OF San Francisco)

On April 23, 2001, before me, Anne Yanow, a Notary Public, State of California, duly commissioned and sworn, personally appeared Susan L. Uecker, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Anne Yanow
Notary Public, State of California

My commission expires April 30, 2001