

10-11-2001



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U.S. Patent & TMO/TM Mail Rcpt Dt 15t

TO: **ATTN: Box ASSIGNMENTS/FEE**  
**Commissioner of Trademarks**  
**2900 Crystal Drive**  
**Arlington, VA 22202-3513**

9-28-01

Please record the attached original document(s) or copy(ies) thereof.

**SUBMISSION TYPE:**

- New
- Resubmission (Non-Recordation) - Document ID \_\_\_\_\_
- Correction of PTO Error: Reel \_\_\_/Frame \_\_\_\_\_
- Corrective Document: Reel \_\_\_/Frame \_\_\_\_\_

**CONVEYANCE TYPE:**

- Assignment
- License
- Security Agreement
- Merger
- Nunc Pro Tunc Assignment
- Change of Name
- Other: \_\_\_\_\_

Effective Date: 08/22/2001

One (1) Total number of pages of attached conveyance document including any attachments.

**CONVEYING PARTY(IES):**

Name: CPS Capital, Ltd.

Formerly:

- Individual  
Citizenship: \_\_\_\_\_
- Association
- General Partnership
- Limited Partnership
- Corporation - State: \_\_\_\_\_
- Other: Ohio Limited Liability Company

Address: 1801 E. 9<sup>th</sup> Street, Suite 1510  
Cleveland, Ohio 44114

ADDITIONAL NAME(S) OF CONVEYING PARTIES ATTACHED?

- YES
- NO

**RECEIVING PARTY(IES):**

Name: City Public Service

DBA/AKA/TA:

Address: 145 Navarro  
San Antonio, Texas 78296-1771

- Individual  
Citizenship: \_\_\_\_\_
- Association
- General Partnership
- Limited Partnership
- Corporation - State: \_\_\_\_\_
- Other: Texas municipal agency

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.)  Yes  No

ADDITIONAL NAME(S) OF RECEIVING PARTIES ATTACHED?

- YES
- NO

**CORRESPONDENT:**

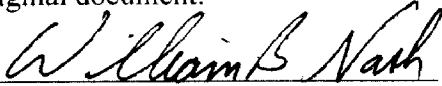
Name: William B. Nash  
Address: Jackson Walker, LLP  
112 E. Pecan, Suite 2100  
San Antonio, TX 78205  
Telephone: 210-978-7700

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**TRADEMARK**  
**REEL: 002381 FRAME: 0671**

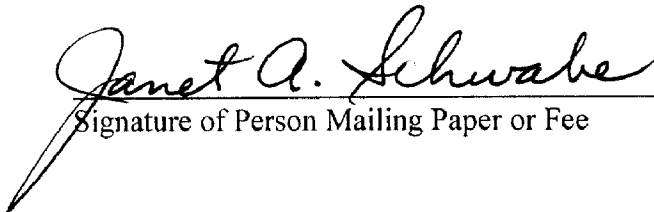
<b>APPLICATION NUMBER(S) OR PATENT NUMBER(S):</b>	
A. Trademark Application No.(s): App. No. 75/248,414 filed February 25, 1997 for "CPS UTILITIES THE NATION'S UTILITY & Design"  Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	B. Trademark Registration No.(s): N/A Reg. No. __ issued __ for "__"  Additional numbers attached? <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>STATEMENT AND SIGNATURE:</b>  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.   WILLIAM B. NASH 9/25/01 DATE	<b>TOTAL NUMBER OF PROPERTIES (APPLICATIONS AND REGISTRATIONS) INVOLVED:</b> One (1) (\$40.00)  <b>TOTAL FEE (37 CFR 3.41):</b> \$40.00 <input checked="" type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to Charge Account No. 07-2400.  <b>DEPOSIT ACCOUNT NUMBER 07-2400.</b> (Attach duplicate copy of this form if paying by deposit account.)

**CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an envelope addressed to the "Commissioner of Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513", as follows:

<u>37 CFR 1.8(a)</u>	<u>37 CFR 1.10</u>
<input type="checkbox"/> With sufficient postage as First Class Mail.  Date: <u>9/26</u> , 20 <u>01</u>	<input type="checkbox"/> As "Express Mail Post Office to Addressee", Mailing Label No. _____  Date: _____, 20__

Janet A. Schwabe  
Printed Name of Person Mailing Paper or Fee

  
Signature of Person Mailing Paper or Fee

ASSIGNMENT

WHEREAS, CPS Capital, Ltd. ("Capital"), an Ohio Limited Liability Company with its principal place of business at 1801 E. 9<sup>th</sup> Street, Suite 1510, Cleveland, Ohio 44114 is the owner of the trademark application for "CPS UTILITIES THE NATION'S UTILITY & Design" ("the Mark"), Serial No. 75/248,414.

WHEREAS, City Public Service ("City Public"), a Texas municipal agency with its principal place of business at 145 Navarro, San Antonio, Texas 78296-1771 is desirous of obtaining the entire right, title and interest in, to and under the same trademark application.

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) to said Capital in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, Capital hereby sells, assigns, transfers, and sets over unto City Public, its successors, legal representatives, and assigns, the entire right, title, and interest in, to and under the Mark and the United States Trademark application for said Mark, Serial No. 75/248,414 and, without limitation, all trademarks whether in the United States or a foreign country which may be granted thereon, and all renewals or reissues thereof, together with the right to file such application(s), and the right to claim for the same any and all priority rights derived from said United States Trademark application under the trademark laws of the United States or any international agreement; together with associated good will of the business symbolized by the trademark and said application to register said trademark.

IN TESTIMONY WHEREOF, I hereunto set our hands and seal this 22<sup>nd</sup> day of AUGUST, 2001.

Name: [Signature]  
Title: Notary Public

STATE OF OHIO §  
  §  
COUNTY OF CUYAHOGA §

BEFORE ME, the undersigned authority, on this day personally appeared ROBERT S. HENDALL, in his/her capacity as PRESIDENT of CPS CAPITAL LTD known to me to be the person of that name, who signed the foregoing instrument, and acknowledged the same to be his free act and deed.

The Notary acknowledges that he/she (1) personally knows the acknowledging person, or (2) evidence of a witness or an identification card or other document was used to identify the acknowledging person.

GIVEN under my hand and seal of office this 22 day of AUGUST, 2001.

(Notary Seal) Notary Public, State of Ohio [Signature]  
Printed Name of Notary JANET SPEND  
Commission Expires 2-25-2003

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JANET SPEND, Notary Public,  
State of Ohio. My Commission  
Expires 2-25-03