

04-22-2002

Form PTO-1594

(Rev. 03/01)

OMB No. 0651-0027 (exp. 5/31/2002)

Tab settings

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102062758

DEPARTMENT OF COMMERCE
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): 4-8-02
Altoona Baseball Properties, LLC

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

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

3. Nature of conveyance:

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

Execution Date: April 1, 2002

2. Name and address of receiving party(ies)
Name: Curve Baseball LP
Internal Address: One Mellon Bank Center, 50th Floor

Street Address: 500 Grant Street
City: Pittsburgh State: PA Zip: 15219

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

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No N/A
(Designations must be a separate document from assignment)
Additional name(s) & address(es) attached? Yes No

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

See Exhibit A (attached)

Additional number(s) attached Yes No

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

Name: Cathleen Kirby, Legal Assistant

Internal Address: Pepper Hamilton LLP
3000 Two Logan Square

Street Address: Eighteenth and Arch Streets

City: Philadelphia State: PA Zip: 19103-2799

6. Total number of applications and registrations involved: 5

7. Total fee (37 CFR 3.41) \$ 140.00

- Enclosed
- Authorized to be charged to deposit account if additional funds needed

8. Deposit account number:

16-1322

(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.

Cathleen Kirby

Name of Person Signing

Signature

April 8, 2002

Date

Total number of pages including cover sheet, attachments, and document: 6

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

04/19/2002 6TUN11 00000089 2389286

01 FC:441 40.00 DP
02 FC:442 100.00 DP

Exhibit A

<i>Item No.</i>	<i>Mark</i>	<i>Status</i>	<i>Application/ Registration No.</i>	<i>Date Filed/ Registered</i>
1	ALTOONA CURVE and Design (Classes 16, 25, and 28)	on Principal Register	2,389,286	09/26/2000
2	"A" and Design (Class 25)	on Principal Register	2,389,276	09/26/2000
3	ALTOONA CURVE and Design (Classes 16 and 25)	on Principal Register	2,389,310	09/26/2000
4	ALTOONA CURVE (Class 41)	on Principal Register	2,314,329	02/01/2000
5	STEAMER (Class 41)	on Principal Register	2,362,135	06/27/2000

ASSIGNMENT

WHEREAS, Altoona Baseball Properties, LLC, a limited liability company organized and existing under the laws of the Commonwealth of Pennsylvania and having a place of business at 1000 Park Avenue, Altoona, PA 16602, and doing business as the Altoona Curve (“Assignor”), is the owner of all right, title and interest in and to the trademarks and service marks listed in Exhibit A attached hereto (the “Marks”); and

WHEREAS, Curve Baseball LP, a limited partnership organized and existing under the laws of the Commonwealth of Pennsylvania and having a place of business at One Mellon Bank Center, 500 Grant Street, 50th Floor, Pittsburgh, PA 15219 (“Assignee”), wishes to acquire any and all rights Assignor has in and to the Marks, together with the good will of the business in connection with which the Marks are used and which is symbolized by the Marks, along with the right to recover for damages and profits for past, present and future infringements thereof;

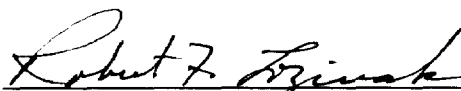
NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor does hereby sell and assign unto Assignee, all right, title, and interest in and to the Marks, including all state, United States and foreign applications and registrations therefor, together with the good will of the business in connection with which the Marks are used and which is symbolized by the Marks, along with the right to recover for damages and profits for past, present and future infringements thereof.

Assignor agrees to execute and deliver, at the request of Assignee, all papers, instruments, and assignments, and to perform any other reasonable acts Assignee may require in order to vest all Assignor’s right, title and interest in and to the Marks in Assignee and/or to

provide evidence to support any of the foregoing in the event such evidence is deemed necessary by Assignee, to the extent that such evidence is in the possession or control of Assignor.

IN WITNESS WHEREOF, Assignor has caused this instrument to be executed
this 1st day of April, 2002.

ALTOONA BASEBALL PROPERTIES, LLC



Robert F. Lozinak, Manager

Exhibit A

<i>Item No.</i>	<i>Mark</i>	<i>Status</i>	<i>Application/ Registration No.</i>	<i>Date Filed/ Registered</i>
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COUNTY OF ALLEGHENY)
) SS
COMMONWEALTH OF PENNSYLVANIA)

Sworn to and subscribed before me on this 1st day of April, 2002, personally appeared Robert F. Lozinak, Manager of Altoona Baseball Properties, LLC.

Notary Seal
Judy L. Scarfone, Notary Public
Pittsburgh, Allegheny County
My Commission Expires Feb. 17, 2003
Member, Pennsylvania Association of Notaries

Judy L. Scarfone
Notary Public

3000 Two Logan Square
Eighteenth and Arch Streets
Philadelphia, PA 19103-2799
215.981.4000
Fax 215.981.4750

215.981.4054
kirbyc@pepperlaw.com

April 8, 2002

EXPRESS MAIL
POST OFFICE TO ADDRESSEE
NO. EL718208977US
DATE OF DEPOSIT: April 8, 2002

The Honorable Commissioner of Patents and Trademarks
U.S. Patent and Trademark Office
Box Assignments
Washington, D.C. 20231

Re: Recordation of Assignment of Trademarks by
Altoona Baseball Properties, LLC to Curve Baseball LP

Sir:

I enclose for recordation in the Assignment Division of the Patent and Trademark Office the above-referenced assignment document, together with a recordation form cover sheet. Also enclosed is Pepper Hamilton LLP Check No. 94630 made payable to "Commissioner of Patents and Trademarks" in the amount of \$140.00 to cover the fee associated with recording the assignment document against five trademark registrations. Any additional fees that are necessary may be deducted from Deposit Account No. 16-1322.

The Honorable Commissioner
of Patents and Trademarks
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April 8, 2002

I have included a reply postcard for the Office to acknowledge the receipt of the enclosed. Please forward the notice of recordation to me, when completed. Thank you.

Respectfully,



Cathleen Kirby
Senior Legal Assistant

CK/mjs
Enclosures

CERTIFICATION OF MAILING

Cathleen Kirby hereby certifies that this request for recordation of Assignment of Trademarks by Altoona Baseball Properties, LLC to Curve Baseball LP and Pepper Hamilton Check No. 94630 are being deposited with the United States Postal Service as Express Mail, mailing label no. EL718208977US, postage-prepaid, in an envelope addressed to Commissioner of Patents and Trademarks, U.S. Patent and Trademark Office, Box Assignments, Washington, D.C. 20231, this 8th day of April 2002.



CATHLEEN KIRBY