

05-20-2002



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

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

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

1. Name of conveying party(ies):

Commonwealth General Corporation f/k/a Providian Corporation

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

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

3. Nature of conveyance:

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

Execution Date: May 6, 2002

2. Name and address of receiving party(ies)

Name: AEGON Institutional Markets, Inc

Internal Address: AEGON Center

Street Address: 400 West Market Street

City: Louisville State: KY Zip: 40202

- Individual(s) citizenship, Association, General Partnership, Limited Partnership, Corporation-State Delaware, 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

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

2,052,960

Additional number(s) attached Yes No

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

Name: Jack A. Wheat

Internal Address: Stites & Harbison Suite 1800

Street Address: 400 West Market Street

City: Louisville State: KY Zip: 40202

6. Total number of applications and registrations involved:

1

7. Total fee (37 CFR 3.41).....\$ 40.00

- 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.

Jack A. Wheat Name of Person Signing

Signature

May 7, 2002 Date

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

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

05/20/2002 TBIAZ1 00000017 2052960 01 FC:481 40.00 OP

TRADEMARK REEL: 002508 FRAME: 0438

## **ASSIGNMENT OF SERVICE MARK**

WHEREAS, Providian Corporation, now known as Commonwealth General Corporation, a Delaware corporation with its principal place of business at AEGON Center, 400 West Market Street, Louisville, Kentucky 40202 ("Assignor"), has adopted, owns and has been using in its own stead, and through its related company, AEGON Institutional Markets, Inc., the mark "TRUST GIC" ("the Mark"); and

WHEREAS, Assignor owns a federal registration for the Mark on the Principal Register of the United States Patent and Trademark Office, namely Registration No. 2,052,960, registered on April 15, 1997; and

WHEREAS, AEGON Institutional Markets, Inc., a Delaware corporation, with its principal place of business at AEGON Center, 400 West Market Street, Louisville, Kentucky 40202 ("Assignee"), desires to acquire record title to the Mark and the above-referenced registration together with the goodwill of the business symbolized by said mark; and

WHEREAS, the parties to this Assignment of Service Mark are commonly owned and operated companies, that is to say, they are "related companies" within the meaning of that term as defined by the United States Trademark Law, and the assignment of the Mark will in no way affect the continuity of the business engaged in under the Mark and the goodwill associated therewith;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby sells, assigns, and transfers to Assignee all right, title, and interest in (including the right to bring action

against any past or present infringers thereof), together with the goodwill symbolized by the following:

1. The mark TRUST GIC; Registration No. 2,052,960.

This Assignment of Service Marks is executed this 6<sup>th</sup> day of May,

2002.

COMMONWEALTH GENERAL CORPORATION

RMS By: William R. Gernert  
William R. Gernert, President

Date: 5/6/2002

SUBSCRIBED and SWORN to before me by William R. Gernert, as President of Commonwealth General Corporation, this 6<sup>th</sup> day of May, 2002.

Notary Public, State at Large, KY  
My commission expires May 27, 2003

My commission expires: \_\_\_\_\_

[Seal]

Julie Bon  
Notary Public

305W:00061:242629:LOUISVILLE