

61510Z

06-13-2002



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

RECO  
TR

102120642

DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

Tab settings

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

1. Name of conveying party(ies):

General Electric Capital Corporation  
6701 Center Drive West, Suite 520  
Los Angeles, CA 90045

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

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

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other Corrective Recordation(see attached)
- Merger
- Change of Name

Execution Date: June 19, 2001

2. Name and address of receiving party(ies)

Name: IMCOA Licensing America, Inc.

Internal

Address:

Street Address: 200 East Tenth Street

City: Gilroy State: CA Zip: 95020

- 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) 74/153,568  
See attached.

B. Trademark Registration No.(s) 921,459  
See attached.

Additional number(s) attached  Yes  No

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

Name: Trademark Docketing Specialist

Internal Address: Ropes & Gray

Street Address: One International Place

City: Boston State: MA Zip: 02110

6. Total number of applications and registrations involved:

32

7. Total fee (37 CFR 3.41).....\$ 815.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

18-1945

DO NOT USE THIS SPACE

9. Signature.

MARK P. SZPAK  
Name of Person Signing

Signature

5/15/02  
Date

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

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

06/12/2002 TDIAZ1 00000238 181945 74153568  
01 FC:481 40.00 CH  
02 FC:482 775.00 CH

TRADEMARK  
REEL: 002524 FRAME: 0226

**Recordation Form Cover Sheet (Trademarks Only) continued.**

**Item 3. Nature of Conveyance (continued)**

Other. CORRECTIVE RECORDATION.

This Corrective Recordation corrects errors that are obvious on the face of the "Trademark Application or Registration Assignment Recordation Cover Sheet" and the accompanying documents previously recorded at **Reel 002368, Frame 0527-0531** ("the PRIOR RECORDATION," attached). Specifically:

- (a) Included in the PRIOR RECORDATION was a "Release and Reassignment of Intellectual Property" (hereinafter, "the RELEASE"). See Reel 002368, Frame 0529-0531. In the RELEASE, **General Electric Capital Corporation** released, transferred and assigned to **IMCOA Licensing America, Inc.** all right, title and interest in certain Collateral (including, without limitation, certain Trademarks).
- (b) The PRIOR RECORDATION was filed to record the effect of the RELEASE.
- (c) However, the cover sheet of the PRIOR RECORDATION erroneously reversed the names of the Conveying Party and the Receiving Party. This Corrective Recordation **corrects that error** by properly recording **General Electric Capital Corporation** as the Conveying Party and **IMCOA Licensing America, Inc.** as the Receiving Party with respect to the RELEASE.
- (d) Also, the cover sheet of the PRIOR RECORDATION erroneously included a reference to Serial No. 74/138,684, and erroneously excluded a reference to Serial No. 74/249,305. This Corrective Recordation **corrects those errors** by properly transcribing the Application Numbers and Registration Numbers listed in the RELEASE, as set forth below.

**Item 4. Application number(s) or registration number(s) (continued)**

See Exhibit A to "Release and Reassignment of Intellectual Property," recorded at **Reel 002368, Frame 0529-0531** (incorporated herein by reference). The numbers in parentheses below correspond to the item numbers in said Exhibit A recorded at Reel 002368, Frame 0530-0531. A copy is attached.

A. Trademark Application Numbers

B. Trademark Registration Numbers

- |                 |                 |                |
|-----------------|-----------------|----------------|
| (1) 74-153,568  | (17) 75-827,210 | (6) 921,459    |
| (2) 74-296,909  | (18) 76-123,201 | (13) 1,827,074 |
| (3) 74-296,910  | (19) 76-108,140 | (30) 1,953,518 |
| (4) 74-307,804  | (20) 75-760,304 | (31) 1,967,843 |
| (5) 74-498,031  | (21) 75-138,682 | (32) 652,777   |
| (7) 74-063,475  | (22) 74-491,841 |                |
| (8) 74-249,303  | (23) 74-546,202 |                |
| (9) 74-249,305  | (24) 75-052,764 |                |
| (10) 74-485,062 | (25) 75-138,684 |                |
| (11) 74-485,160 | (26) 75-259,617 |                |
| (12) 75-145,807 | (27) 74-498,149 |                |
| (14) 75-138,684 | (28) 74-397,285 |                |
| (15) 76-108,125 | (29) 75-128,241 |                |
| (16) 2089381    |                 |                |

**NOTE: THIS DOES NOT AFFECT THE SEPARATE RECORDATION AT REEL 002403, FRAME 0128-0137.**

09-14-2001

TRADEMARK A.



ON ASSIGNMENT

101843177

To the Commissioner for Trademarks.

Docket Number:

AUG 17

1. NAME - CONVEYING PARTY(IES):  
IMCOA Licensing America, Inc.

2. NAME & ADDRESS - RECEIVING PARTY:

- Individual - Jurisdiction:
- Association - Jurisdiction:
- General Partnership - Jurisdiction:
- Limited Partnership - Jurisdiction:
- Corporation - Jurisdiction: Delaware
- Other - Jurisdiction:

Name: General Electric Capital Corporation  
 Street Address: 6701 Center Drive West  
 City: Los Angeles  
 State: California  
 Zip / Postal Code: 90045  
 Country: United States

Additional name(s) attached?

Yes  No

- Individual(s) citizenship - Jurisdiction:
- Association - Jurisdiction:
- General Partnership - Jurisdiction:
- Limited Partnership - Jurisdiction:
- Corporation - Jurisdiction: New York
- Other - Jurisdiction:

3. NATURE OF CONVEYANCE:

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

If assignee is not domiciled in the United States, a Domestic Representative designation is attached:

Yes  No

Execution Date: June 19, 2001

Additional name(s) & address(es) attached?

Yes  No

4. APPLICATION NUMBER(S) OR REGISTRATION NUMBER(S):

- A. Trademark Application No.(s)
- |            |            |
|------------|------------|
| 74/153,568 | 76/123,201 |
| 74/296,909 | 76/108,140 |
| 74/296,910 | 75/760,304 |
| 74/307,804 | 75/138,682 |
| 74/498,031 | 74/491,841 |
| 74/063,475 | 74/546,202 |
| 74/249,303 | 75/052,764 |
| 74/485,062 | 75/138,684 |
| 74/485,160 | 75/259,617 |
| 75/145,807 | 74/498,149 |
| 74/138,684 | 74/397,285 |
| 76/108,125 | 75/128,241 |
| 75/827,210 |            |

- B. Trademark Registration No.(s)
- 921,459
  - 1,827,074
  - 2,089,381
  - 1,953,518
  - 1,967,843
  - 652,777

Additional numbers attached?  Yes  No

8606089 1

RECEIVED  
 TRADEMARK  
 DIVISION  
 AUG 17 2001  
 101843177

TRADEMARK  
 REEL: 002368 FRAME: 0527

TRADEMARK  
REEL: 002524 FRAME: 0228

**5. NAME AND ADDRESS OF PARTY TO WHOM CORRESPONDENCE CONCERNING THIS REQUEST TO RECORD THE DOCUMENT SHOULD BE MAILED:**

Name: Docketing Specialist  
Firm: Ropes & Gray  
Street: One International Place  
City: Boston  
State: Massachusetts  
Zip / Postal Code: 02110  
Country: United States

**6. TOTAL NUMBER OF APPLICATIONS AND REGISTRATIONS INVOLVED:**

**7. TOTAL FEE (37 CFR § 3.41): \$790**

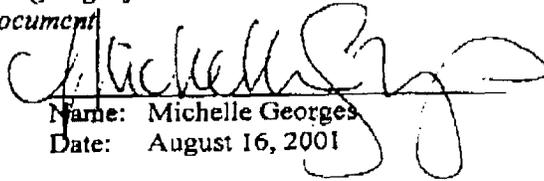
- Enclosed.
- Authorized to be charged to deposit account 18-1945.
- Authorized to charge additional fees to deposit account 18-1945.

**8. ADDITIONAL INFORMATION**

None.

**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.*



Name: Michelle Georges  
Date: August 16, 2001

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

**RELEASE AND REASSIGNMENT OF  
INTELLECTUAL PROPERTY**

Reference is hereby made to that certain Intellectual Property Security Agreement, dated as of March 20, 2000, between IMCOA Licensing America, Inc., a Delaware corporation ("Debtor"), and General Electric Capital Corporation, as agent on behalf of itself and other lenders (collectively, "Lender"), which was recorded in the United States Patent and Trademark Office on March 14, 2001 at Reel 002259, Frame 0791 (the "Agreement") and pursuant to which the Debtor assigned and granted to Lender a security interest in and to all of Debtor's rights, title and interests in and to the Collateral (as defined in the Agreement), including without limitation those trademarks, trademark registrations and trademark applications specifically listed on Exhibit A attached hereto (the "Trademarks"), and the goodwill associated therewith; and

WHEREAS, Lender wishes to release, retransfer and reassign to Debtor, without representation or warranty, all of Lender's rights, title and interests in and to the Collateral, including without limitation the Trademarks, and the goodwill associated therewith;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Lender hereby releases, transfers and assigns to Debtor, without representation or warranty, all of Lender's rights, title and interests in and to the Collateral, including without limitation the Trademarks, and the goodwill associated therewith. Lender hereby authorizes Debtor to take any and all actions in connection with the Trademarks in Debtor's own name and at Debtor's own expense, subject to the Intellectual Property Security Agreement dated as of the date hereof between Debtor and Lender. After the date hereof, at Debtor's expense, Lender will execute and deliver to Debtor such documents and will take such other actions as Debtor may reasonably request to accomplish the release, transfer and assignment set forth herein.

IN WITNESS WHEREOF, Lender has executed this Release and Reassignment of Intellectual Property as of this \_\_\_\_ day of June, 2001.

GENERAL ELECTRIC CAPITAL CORPORATION

By:   
Title: Duly Authorized Signatory

TRADEMARK  
REEL: 002368 FRAME: 0529

TRADEMARK  
REEL: 002524 FRAME: 0230

**EXHIBIT A****INTELLECTUAL PROPERTY-TRADEMARKS**

	<b>Trademark</b>	<b>Registered</b>	<b>Pending</b>
1.	INDIAN		Serial No. 74-153,568 Date Filed: 4-3-91
2.	INDIAN		Serial No. 74-296,909 Date Filed: 7-23-92
3.	INDIAN		Serial No. 74-296,910 Date Filed: 7-23-92
4.	INDIAN		Serial No. 74-307,804 Date Filed: 8-24-92
5.	INDIAN		Serial No. 74-498,031 Date Filed: 3-7-94
6.	INDIAN (script font)	Reg. No. 921,459 Reg. Date: 10-5-71	
7.	INDIAN (script font)		Serial No. 74-063,475 Date Filed: 5-29-90
8.	INDIAN (script font)		Serial No. 74-249,303 Date Filed: 2-25-92
9.	INDIAN (script font)		Serial No. 74-249,305 Date Filed: 2-25-92
10.	INDIAN (script font)		Serial No. 74-485,062 Date Filed: 2-1-94
11.	INDIAN (script font)		Serial No. 74-485,160 Date Filed: 2-1-94
12.	INDIAN (script font)		Serial No. 75-145,807 Date Filed: 8-6-96
13.	MOTORCYCLE TRADE DRESS	Reg. No. 1,827,074 Reg. Date: 3-15-94	
14.	Design mark of Indian chief facing left with INDIAN (script font)		Serial No. 75-138,684 Date Filed: 7-23-96
15.	CHIEF		Serial No. 76-108,125 Date Filed: 8-11-00
16.	CHIEF		Serial No. 2089381 Date Filed: 2-9-01

**TRADEMARK**  
**REEL: 002368 FRAME: 0530**

**TRADEMARK**  
**REEL: 002524 FRAME: 0231**

	Trademark	Registered	Pending
17.	MOTORCYCLE TRADE DRESS (Fenders)		Serial No. 75-827,210 Date Filed: 10-21-99
18.	CHIEF		Serial No. 76-123,201 Date Filed: 9-6-00
19.	US SCOUT		Serial No. 76-108,140 Date Filed: 8-15-01
20.	INDIAN MOTORCYCLE		Serial No. 75-760,304 Date Filed: 8-19-99
21.	Design mark of Indian chief facing left INDIAN (script font)		Serial No. 75-138,682 Date filed: 7-23-96
22.	Design mark of Indian chief facing right (feather chief)		Serial No. 74-491,841 Date Filed: 2-18-94
23.	Design mark of Indian Chief facing right with INDIAN (script font)		Serial No. 74-546,202 Date Filed: 7-6-94
24.	Design mark of Indian chief facing right with INDIAN (script font)		Serial No. 75-052,764 Date Filed: 2-2-96
25.	Design mark of Indian chief facing left with INDIAN (script font) below		Serial No. 75-138,684 Date Filed: 7-23-96
26.	Design mark of arrow head with INDIAN (script)		Serial No. 75-259,617 Dated Filed: 3-27-92
27.	CENTURY INDIAN OF NORTH AMERICA		Serial No. 74-498,149 Date Filed: 3-8-94
28.	Design mark of two Indian chiefs facing with INDIAN TABAC CO.		Serial No. 74-397,285 Date Filed: 6-3-93
29.	Design mark with INDIAN TABAC CIGAR CO.		Serial No. 75-128,241 Date Filed: 7-1-96
30.	Design mark of arrow head with IMMI	Reg. No. 1,953,518 Reg. Date: 1- 30-96	
31.	IMMI	Reg. No. 1,967,843 Reg. Date: 4- 15-96	
32.	INDIAN BRAND	Reg. No. 652,777 Reg. Date: 1- 9-57	

RECORDED: 08/17/2001

TRADEMARK  
REEL: 002368 FRAME: 0631

TOTAL P.06

TRADEMARK  
REEL: 002524 FRAME: 0232

**ROPES & GRAY**  
ONE INTERNATIONAL PLACE  
BOSTON, MA 02110-2624  
PHONE: (617) 951-7000  
FAX: (617) 951-7050

DIRECT DIAL: (617) 951-7606  
MSZPAK@ROPESGRAY.COM

May 15, 2002

Box Assignment  
United States Patent and Trademark Office  
Washington, D.C. 20231

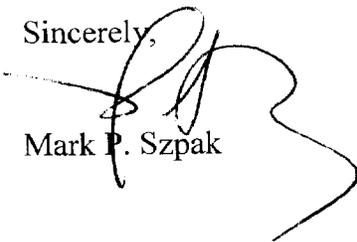
Re: Corrective Recordation  
Parties: General Electric Capital Corporation and IMCOA Licensing America, Inc.  
Filing Date: May 15, 2002  
Our Reference No.: AGW-010021

Dear Sir or Madam:

Enclosed please find a Recordation Form Cover Sheet with attachments, Certificate of Mailing, transmittal letter and authorization to charge the appropriate filing fees for the above-referenced. Any additional fees may be deducted from our Deposit Account No.18-1945. Two copies of this letter are enclosed for accounting purposes.

Please acknowledge receipt of these documents by date-stamping and returning the enclosed postcard.

Sincerely,

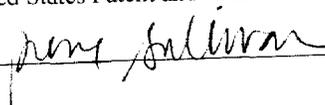
  
Mark P. Szpak

Enclosure

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this paper is being deposited with the United States Postal Service First Class Mail under 37 C.F.R. §1.8 on the date indicated above and is addressed to Box Assignment, United States Patent and Trademark Office, Washington, D.C. 20231

5/15/02  
Date of Deposit



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**ROPES & GRAY**  
ONE INTERNATIONAL PLACE  
BOSTON, MA 02110-2624  
PHONE: (617) 951-7000  
FAX: (617) 951-7050

DIRECT DIAL: (617) 951-7606  
MSZPAK@ROPESGRAY.COM

May 15, 2002

Box Assignment  
United States Patent and Trademark Office  
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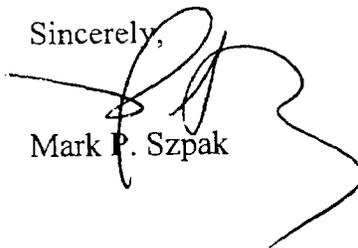
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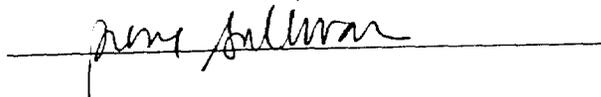
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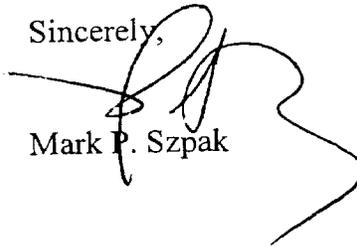
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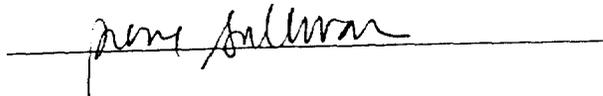
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**RECORDED: 06/05/2002**

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