

07-31-2002



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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):

DIMAC Marketing Partners, Inc. (formerly known as DIMAC Marketing Corporation)

07-02-02

- 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
- Merger
- Change of Name

Execution date: June 28, 2002

2. Name and address of receiving party(ies):

Name: MBS/Multimode Inc. 2

Internal Address: Graybar Building at Grand Central

Street Address: 420 Lexington Avenue, Suite 300

City: New York Country: New York Zip: 10170

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership

Corporation-State Missouri

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) 2368646, 2274981

Additional number(s) attached  Yes  No

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

Name: Dale Nissenbaum

Internal Address: Weil, Gotshal & Manges, LLP

Street Address: 767 5th Avenue

City: New York State: NY Zip: 10153

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: 23-0800

(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.

Phyllis Eremitaggio  
Name of Person Signing

*Phyllis Eremitaggio*  
Signature

July 1, 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

07/30/2002 TDIAZ1 00:00205 230800 2368646

01 FC:481 40.00 CH  
02 FC:482 25.00 CH

## TRADEMARK ASSIGNMENT

**THIS TRADEMARK ASSIGNMENT** ("*Assignment*"), dated as of June 28, 2002, is made by **DIMAC MARKETING PARTNERS, INC.** (formerly known as DIMAC Marketing Corporation), a corporation organized under the laws of the State of Missouri, with its principal offices at One Corporate Woods Drive, Bridgeton, Missouri 63044 ("*DMP*").

**WHEREAS**, DMP owns the entire right, title and interest, whether statutory or common law rights, in and to the trademarks and registrations therefor listed on **Schedule A** (the "*Assigned Trademarks*"); and

**WHEREAS**, DMP desires to assign the entire worldwide right, title and interest in and to the Assigned Trademarks to MBS/Multimode Inc., a corporation organized under the laws of the State of Missouri, with its principal offices at Graybar Building at Grand Central, 420 Lexington Avenue, Suite 300, New York, New York 10170, and a wholly-owned subsidiary of DMP ("*MBS*");


**NOW, THEREFORE**, for good and valuable consideration, the receipt of which is hereby acknowledged:

1. DMP does hereby sell, assign and transfer to MBS, its entire worldwide right, title and interest, whether statutory or common law rights, in and to the Assigned Trademarks together with the goodwill connected with and symbolized by the Assigned Trademarks, the same to be held and enjoyed by MBS for its own use and enjoyment and the use and enjoyment of its successors, assigns or other legal representatives, to the end of the term or terms for which the Assigned Trademarks are granted or reissued or extended as fully and entirely as the same would have been held and enjoyed by DMP if this assignment and sale had not been made, as assignee of its entire right, title and interest therein and in and to all income, royalties, damages and payments now or hereafter due or payable with respect thereto in and to all causes of action (either in law or in equity) and the right to sue, counterclaim, and recover for past, present and future infringement of the rights assigned or to be assigned under this Assignment.
2. DMP agrees to execute any additional documents and to take such other actions as may be necessary to transfer to MBS its entire right, title and interest in and to the Assigned Trademarks.
3. The assignment set forth in paragraph 1 of this Assignment is subject to all licenses and other rights in and to the Assigned Trademarks previously granted to any third person, which grants are in effect as of the date of this Assignment.

[Signatures on Following Page]

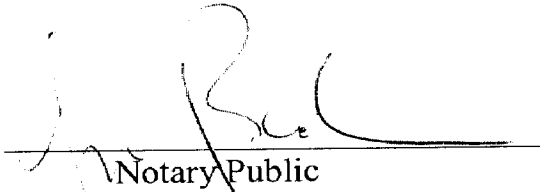
IN WITNESS WHEREOF, DMP has caused this Assignment to be duly executed in duplicate originals by its duly authorized representative as of the day and year first above written.

**DIMAC MARKETING PARTNERS, INC.**

By:   
Name: Addison L. Everett  
Title: Chairman, Chief Executive Officer  
and Chief Financial Officer

State of New York            )  
  ) ss.  
County of New York        )

On this 1<sup>st</sup> day of July, 2002, before me personally appeared Addison L. Everett proved to me on the basis of satisfactory evidence to be the person who executed the above Assignment as Chairman and Chief Financial Officer on behalf of DIMAC Marketing Partners, Inc., and acknowledged to me that the company executed it. Witness my hand and official seal.

  
Notary Public

GEORGIA BEACH  
NOTARY PUBLIC, State of New York  
No. 31-4907366  
Qualified in New York County  
Commission Expires Sept. 28, 2005

Schedule A

**ASSIGNED TRADEMARKS**

<u>ASSIGNED TRADEMARKS</u>	<u>REGISTRATION NUMBER</u>
MBS/MULTIMODE	2368646
KLONDIKE	2274981