

08-13-2002



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

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

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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):

OFFITBANK

08-12-02

- Individual(s)
- General Partnership
- Corporation-State
- Other New York Chartered Bank
- 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: July 25, 2002

2. Name and address of receiving party(ies)

Name: Wachovia Corporation

Internal Address: One Wachovia Center

Street Address: 301 South College Street, 30th Fl.

City: Charlotte State: NC Zip: 28288

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State North Carolina
- 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)

SEE ATTACHED

Additional number(s) attached  Yes  No

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

Name: John L. Sullivan, Jr., Esq.

Internal Address: Alston & Bird LLP

Bank of America Plaza

Suite 4000

Street Address: 101 S. Tryon St.

City: Charlotte State: NC Zip: 28280-4000

6. Total number of applications and registrations involved: 3

7. Total fee (37 CFR 3.41).....\$ 90.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

16-0605

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.

John L. Sullivan, Jr.

Name of Person Signing

John L. Sullivan, Jr.  
Signature

8/5/02  
Date

Total number of pages including cover sheet, attachments, and document: 7

08/13/2002 LNUELLER 00000084 1658722

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

01 FC:481  
02 FC:482  
40.00 OP  
50.00 OP

TRADEMARK  
REEL: 002561 FRAME: 0085

SCHEDULE "A"

| MARK   | REG. NO.  | REGISTERED         |
|--|-----------|--------------------|
| OFFITBANK THE<br>INVESTMENT<br>MANAGEMENT BANK         | 1,658,722 | September 24, 1991 |
| THE FORUM FOR NON-<br>PROFIT INVESTMENT<br>AND FINANCE | 2,130,608 | January 20, 1998   |
| OFFITBANK THE<br>WEALTH MANAGEMENT<br>BANK             | 2,250,595 | June 1, 1999       |

## SERVICE MARK ASSIGNMENT

WHEREAS, OFFITBANK, a New York State Chartered Bank, having a principal place of business at 520 Madison Avenue, New York, New York 10022 (hereinafter referred to as "ASSIGNOR"), is the exclusive and record owner of the entire right, title and interest in and to the following Service Marks and the corresponding United States Service Mark Registrations therefor:

Mark: **OFFITBANK THE INVESTMENT MANAGEMENT BANK**

Reg. No.: 1,658,722

Registered: September 24, 1991

Int. Class: 36

Mark: **THE FORUM FOR NON-PROFIT INVESTMENT AND FINANCE**

Reg. No.: 2,130,608

Registered: January 20, 1998

Int. Class: 41

Mark: **OFFITBANK THE WEALTH MANAGEMENT BANK**

Reg. N.: 2,250,595

Registered: June 1, 1999

Int. Class: 36

Assignor acknowledges that the three above-identified registrations are identified in the United States Patent and Trademark Office records as being owned by OFFITBANK, a "New York corporation," "New York corporation," and "New York Banking corporation," respectively. The original Applicant for said registrations, OFFITBANK, was inadvertently and through unintentional error identified as a "New York corporation," "New York corporation," and "New York Banking corporation," respectively, whereas the correct identification of Applicant should have read "New York State Chartered Bank."

The aforementioned error was brought about by a mistake which occurred in good faith through no fault of the Applicant and its attorneys at the time the applications were filed.


WHEREAS, Wachovia Corporation, a North Carolina corporation, having a principal place of business at One Wachovia Center, 301 South College Street, 30<sup>th</sup> Floor, Charlotte, North Carolina 28288 (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the above-identified service marks and the corresponding United States Service Mark Registrations therefor;

NOW THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, ASSIGNOR does hereby assign, transfer and sell unto said ASSIGNEE the entire right, title and interest in and to the above-identified marks and the corresponding United States Service Mark Registrations therefor, together with the goodwill of the business appurtenant to and symbolized by said marks, and all rights of action against third parties for past infringement thereof, the same to be held and enjoyed by said ASSIGNEE as fully and entirely as the same would have been held by ASSIGNOR had this transfer, assignment and sale not been made.

ASSIGNOR hereby warrants and covenants that it has the full power and authority to convey the rights, title and interests herein assigned, transferred and sold to ASSIGNEE, that it has not executed and will not execute any agreement in conflict herewith, and that it will execute any and all other instruments which may be necessary to perfect and evidence ASSIGNEE's ownership of the property and rights herein conveyed.

IN WITNESS WHEREOF, ASSIGNOR, intending to be legally bound, has caused  
this Assignment to be executed by its duly authorized officer as of the 25 day of  
July, 2002.

OFFITBANK

  
\_\_\_\_\_  
F. Daniel Prickett  
Chairman and CEO

CLT01/4544392v1