

01-21-2003

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Form PTO-1594
(Rev. 03/01)

RE



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

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

Tab settings

102342117

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

1. Name of conveying party(ies):

Sterling Double Day Enterprises, L.P.

- 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: 02/01/1994

2. Name and address of receiving party(ies)

Name: Binghamton Mets Baseball Club, Inc.

Internal Address: Binghamton Municipal Stadium

Street Address: P.O. Box 598, 211 Henry Street

City: Binghamton State: NY Zip: 13902

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State New York
- 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) 1904718, and 1905619

Additional number(s) attached Yes No

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

Name: Attn: James R. Franz

Internal Address: Hinman, Howard & Kattell, LLP
700 Security Mutual Building, LLP

Street Address: 80 Exchange Street
P.O. Box 5250

City: Binghamton State: NY Zip: 13902-5250

6. Total number of applications and registrations involved:

2

7. Total fee (37 CFR 3.41).....\$ 65

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

DO NOT USE THIS SPACE

9. Signature.

Binghamton Mets
Baseball Club, Inc.

Michael Urda, President

Name of Person Signing

Michael Urda
Signature

July 5 2002
Date

81

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

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01 FC:8521
02 FC:8522

40.00/OP
25.00/OP

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

TRADEMARK
REEL: 002652 FRAME: 0704

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Execution Copy

ASSET PURCHASE AGREEMENT

BETWEEN

BINGHAMTON METS BASEBALL CLUB, INC.,
a New York Corporation
(the "Purchaser")

AND

STERLING DOUBLEDAY ENTERPRISES, L.P.,
a Delaware limited partnership
(the "Seller")

DATED AS OF

FEBRUARY 1, 1994

usable in the operation or business of the Franchise, whether or not on the balance sheet of Seller, now in existence or hereafter acquired by the Seller prior to the date of Closing (except (i) cash, (ii) the Franchise's share of League expansion fees related to the League's expansion effective in the 1994 season, regardless of how and when paid, (iii) receivables [other than receivables relating to the 1994 and subsequent baseball seasons of the Franchise, which, to the extent qualified by Section 3.03(e) hereof, shall be included in the Assets (the "Included Receivables")], (iv) parking receipts due for the 1993 calendar year from Binghamton Urban Renewal Agency ("BURA") pursuant to Section 3(C) of the Development, Sublease, Operation and Management Agreement between BURA, as Sublessor, and Seller, as Sublessee (the "Sublease"), regardless of when paid, (v) any amounts to be paid directly to Seller following Closing from BURA or the City in partial repayment of cost overruns on the construction of the Stadium incurred by Seller, and (vi) certain exercise and training equipment listed in Exhibit 1.03, which items described in clauses (i) through (vi) are hereinafter referred to collectively as the "Excluded Assets", all right, title and interest in and to which shall remain in Seller) and shall include, without limitation, all Seller's right, title and interest in, to and under: the Franchise and the right to operate it; the protected territorial rights of the Franchise; the name "Binghamton Mets," and accompanying logo; the Material Contracts (as defined in Section 1.04 hereof), including but not limited to

HINMAN, HOWARD & KATTELL, LLP

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January 17, 2003

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Via Federal Express

United States Patent and Trademark Office
Assignment Division
1213 Jefferson Davis Highway
Suite 300
Arlington, Virginia 22202

Re: Binghamton Mets Baseball Club, Inc.

Dear Commissioner:

Enclosed herewith please find our original request for the recordation of the assignment for trademarks 1904718 and 1905619. We originally sent this request on July 10, 2002. Unfortunately, it appears that our request was never received.

We contacted your office in December 2002, to check on the status of the recordation. On December 23, 2002, we faxed our request for recordation again to the Assignment Division. After speaking with Shirley, a Paralegal at your office, on several occasions, she advised we send the request for recordation once again. As a result, enclosed you will find our initial cover letter requesting the recordation; a cover sheet that meets the requirements of 37 C.F.R. §3.41; a copy of that portion of the Asset Purchase Agreement evidencing the effect on title highlighted on page 3; and a check in the amount of \$65.00 covering the total fee of recordation.

If anything further is required in order to complete this transaction, please contact me as soon as possible. Thank you for your courteous assistance.

Very truly yours,

HINMAN, HOWARD & KATTELL, LLP

By


James R. Franz

JRF/jls

Enclosures

cc: Mr. Michael Urda

ASSIGNMENTS DIV
JAN 21 PM 12:15

RECEIVED