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To the Honorable Commissioner of Patents and T.

1. Name of conveying party(ies): **WBS Hockey, LLC**

- Individual(s)
  - General Partnership
  - Corporation-State
  - Other **Limited Liability Company**
- Additional names(s) of conveying party(ies)  Yes  No

3. Nature of conveyance:
- Assignment
  - Security Agreement
  - Other **WBS Hockey, LP, is a successor to the business of WBS Hockey, LLC.**
  - Merger
  - Change of Name

Execution Date: **July 1, 2001**

Name and address of receiving party(ies):

Name: **WBS Hockey, LP**

Internal Address: \_\_\_\_\_

Street Address: **One Chatham Center, Suite 400**

City: **Pittsburgh** State: **PA** ZIP: **15219**

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

If assignee is not domiciled in the United States, a domestic designation is  Yes  N  
(Designations must be a separate document from Additional name(s) & address(es)  Yes  N

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

A. Trademark Application No.(s)  
75/782,757

B. Trademark Registration No.(s)

Additional numbers  Yes  No

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

Name: **Alana M. Fuierer, Esq.**

Internal Address: **THE BILICKI LAW FIRM, P.C.**

Street Address: **Furniture Mart Building, Suite 1000**

**111 West Second Street**

City: **Jamestown** State: **NY** ZIP: **14701**

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:

**50-1021**

02/11/2003 6TON11 00000109 501021 75782757

01 FC:8521 40.00 CH

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.

**Alana M. Fuierer, Esq.**  
Name of Person Signing

*Alana M. Fuierer*  
Signature

**2/5/03**  
Date

Total number of pages including cover sheet, attachments, and **6**

200-155-241

JUN 29 2001

Microfilm Number \_\_\_\_\_

Filed with the Department of State on \_\_\_\_\_

Entity Number \_\_\_\_\_

Secretary of the Commonwealth

JL

CERTIFICATE OF MERGER-LIMITED PARTNERSHIP

DSCB:15-8547 (Rev 90)

In compliance with the requirements of 15 Pa.C.S. § 8547 (relating to certificate of merger or consolidation), the undersigned limited partnership(s), desiring to effect a merger, hereby state that:

1. The name of the limited partnership surviving the merger is: WBS Hockey LP

2. (Check and complete one of the following):

X The surviving limited partnership is a domestic limited partnership and the (a) address of its current registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is (the Department is hereby authorized to correct the following information to conform to the records of the Department):

(a) c/o Charles M. Greenberg, Esq. 500 Grant Street, 50th Flr. Pittsburgh PA 15219 Allegheny

(b) c/o: Name of Commercial Registered Office Provider County

For a limited partnership represented by a commercial registered office provider, the county in (b) shall be deemed the county in which the limited partnership is located for venue and official publication purposes.

The surviving limited partnership is a qualified foreign limited partnership formed under the laws of \_\_\_\_\_ and the (a) address of its current registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is (the Department is hereby authorized to correct the following information to conform to the records of the Department):

(a) Number and Street City State Zip County

(b) c/o: Name of Commercial Registered Office Provider County

For a limited partnership represented by a commercial registered office provider, the county in (b) shall be deemed the county in which the limited partnership is located for venue and official publication purposes.

The surviving limited partnership is a nonqualified foreign limited partnership formed under the laws of \_\_\_\_\_ and the address of its principal office under the laws of such domiciliary jurisdiction is:

Number and Street City State Zip

3. The name and the address of its current registered office in this Commonwealth or name of its commercial registered office provider and the county of venue of each other domestic limited partnership and qualified foreign limited partnership which is a party to the plan of merger are as follows:

Table with 3 columns: Name of Limited Partnership, Address of Registered Office or Name of Commercial Registered Office Provider, County. Row 1: WBS Hockey LLC, 1 Chatham Center, Suite 400, Pittsburgh, PA 15219, Allegheny.

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DSCB:15-8547 (Rev 90)-2

4. (Check, and if appropriate complete, one of the following):

The plan of merger shall be effective upon filing this Certificate of Merger in the Department of State.

X The plan of merger shall be effective on: 7/1/01 at 12:10 a.m. Date Hour

5. The manner in which the plan of merger was adopted by each domestic limited partnership and limited liability company is as follows:

Name of Limited Partnership/Limited Liability Company Manner of Adoption

WBS Hockey LP Plan of Merger adopted pursuant to Section 8546 of the PA Revised Limited Partnership Act

WBS Hockey LLC 2557247 Plan of Merger adopted by members pursuant to Section 8957 of the PA Limited Liability Company Act

6. (Strike out this paragraph if no foreign limited partnership is a party to the merger): The plan was authorized, adopted or approved, as the case may be, by the foreign limited partnership (or each of the foreign limited partnerships) party to the plan in accordance with the laws of the jurisdiction in which it is organized.

7. (Check, and if appropriate complete, one of the following):

The plan of merger is set forth in full in Exhibit A attached hereto and made a part hereof.

X Pursuant to 15 Pa.C.S. § 8547(b) (relating to omission of certain provisions from filed plans) the provisions, if any, of the plan of merger that amend or constitute the operative Certificate of Limited Partnership of the surviving limited partnership as in effect subsequent to the effective date of the plan are set forth in full in Exhibit A attached hereto and made a part hereof. The full text of the plan of merger is on file at the principal place of business of the surviving limited partnership, the address of which is:

Pepper Hamilton LLP, 500 Grant St., 50th Fl., Pittsburgh, PA 15219 Allegheny Number and Street City State Zip County

IN TESTIMONY WHEREOF, each undersigned limited partnership has caused this Certificate of Merger to be signed by a duly authorized officer thereof this 29th day of June, 2001

WBS Hockey LP

By: Team Lemieux LLC, its general partner

BY: [Signature] (Signature)

TITLE: Secretary and Treasurer

WBS Hockey LLC

By: Lemieux Group LP Liability Company

BY: [Signature] (Signature)

TITLE: Secretary and Treasurer

Team Lemieux LLC, general partner.

Microfilm Number 200156 - 529

Filed with the Department of State on JUL 13 2001

Entity Number 3013204

*Kim R. Pizzanelli*  
Secretary of the Commonwealth *JK*

**STATEMENT OF CORRECTION**

DSCB:15-138 (Rev 90)

In compliance with the requirements of 15 Pa.C.S. § 138 (relating to statement of correction) the undersigned association or other person, desiring to correct an inaccurate record of corporate or other action or correct defective or erroneous execution of a document, hereby states that:

1. The name of the association or other person is: WBS Hockey LP

2. The (a) address of this association's current registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is (the Department is hereby authorized to correct the following information to conform to the records of the Department):

(a) c/o Charles M. Greenberg, Esq., One Mellon Bank Center, 50th Floor, Pittsburgh, PA 15219 Allegheny  
Number and Street City State Zip County

(b) c/o: \_\_\_\_\_  
Name of Commercial Registered Office Provider County

For an association represented by a commercial registered office provider, the county in (b) shall be deemed the county in which the association is located for venue and official publication purposes.

3. The statute by or under which it was incorporated or the preceding filing was made, in the case of a filing that does not constitute a part of the articles of incorporation of a corporation, is: PA Revised Limited Partnership Act

4. The inaccuracy or defect, which appears in Department of State form Certificate of Limited Partnership (DSCB: 15-8511) filed on June 29, 2001 and recorded in Roll and Film Number \_\_\_\_\_ et seq., is:

The Registered Agent named in item 2 was incorrect and both items under item 4 of the form were erroneously checked.

5 (Check one of the following):

The portion of the document requiring correction in corrected form is set forth in Exhibit A attached hereto and made a part hereof.

The original document to which this statement relates shall be deemed reexecuted.

The original document to which this statement relates shall be deemed stricken from the records of the Department.

IN TESTIMONY WHEREOF, the undersigned association or other person has caused this statement to be signed by a duly authorized officer thereof or otherwise in its name this 12th day of July, 2001.

WBS Hockey LP  
By: Team Lemieux LLC, its General Partner

By: *K.G. Sawyer*  
Kenneth G. Sawyer, Executive Vice President  
Chief Financial Officer, Secretary and Treasurer

2001 JUL 13 10:07 AM  
RECORDED & INDEXED

200156 · 530

EXHIBIT A  
TO  
STATEMENT OF CORRECTION  
FOR  
WBS HOCKEY LP

Items 2 and 4 of Form DSCB:15-8511, Certificate of Limited Partnership, are corrected to read as follows:

2. The (a) **address** of this association's current registered office in this Commonwealth or (b) **name** of its commercial registered office provider and the county of venue is (the Department is hereby authorized to correct the following information to conform to the records of the Department):

(a) <u>One Chatham Center, Suite 400</u>	<u>Pittsburgh,</u>	<u>PA</u>	<u>15219</u>	<u>Allegheny</u>
Number and Street	City	State	Zip	County

4. (Check, and if appropriate complete, one of the following):

The formation of the limited partnership shall be effective upon filing this Certificate of Limited Partnership in the Department of State.

The formation of the limited partnership shall be effective on: 7/1/01 at 12:01 a.m.

THE  
BILICKI LAW FIRM, P.C.

INTELLECTUAL PROPERTY LAW  
PATENTS, TRADEMARKS, COPYRIGHTS  
FEDERAL AND STATE COURT LITIGATION

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FACSIMILE (716) 565-2002

ALANA M. FUIERER, ESQUIRE  
Extension 204  
[amfuierer@bilickilaw.com](mailto:amfuierer@bilickilaw.com)

PLEASE DIRECT ALL REPLIES TO  
JAMESTOWN  
February 5, 2003

**VIA EXPRESS MAIL**

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

RE: Application Serial No.: 75/782,757  
Mark: PUCK PALS  
Our Ref: 237.025300

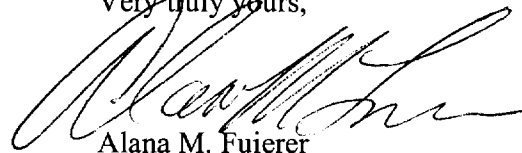
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To Whom It May Concern:

In support of the enclosed 1) *Recordation of Merger – Limited Liability Corporation*; and 2) *Recordation of Merger – Limited Partnership*, Applicant is submitting herewith a Declaration from Mr. Greg Petorak, Vice President of WBS Hockey, LP. Said Declaration sets forth that the original applicant of App. Serial No. 75/782,757 was actually Wilkes-Barre Scranton Hockey Associates (a limited partnership), not Wilkes-Barre Scranton Penguins Hockey Associates, Inc. Applicant has also submitted herewith a true copy of the "Amendment of Application" filed with the ITU Division on February 5, 2003, which seeks to amend App. Serial No. 75/782,757 to reflect that the original applicant was Wilkes-Barre Scranton Hockey Associates.

Applicant respectfully requests that you consider these documents in connection with the enclosed Recordations of Merger. In the meantime, should you have any questions or concerns, please do not hesitate to contact our office. With kind regards, we remain

Very truly yours,



Alana M. Fuierer

Enclosures

TRADEMARK  
REEL: 002669 FRAME: 0463

TRADEMARK  
Docket No. 237.025300

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Mark:** PUCK PALS  
**Application Serial No.:** 75/782,757  
**Filing Date:** August 23, 1999  
**Original Applicant:** Wilkes-Barre Scranton Penguins Hockey Associates, Inc.

**DECLARATION**

I, GREG PETORAK, pursuant to 28 U.S.C. §1746 and Rule 43(d) of the Federal Rules of Civil Procedure which relate to unsworn declarations, under penalty of perjury declare:

1. I am currently the Vice President of WBS Hockey, LP. I am over the age of twenty-one years old. I have personal knowledge of all matters set forth herein and I am competent to testify thereto.
2. Due to a typographical error, the original application papers for App. Serial No. 75/782,757 listed Wilkes-Barre Scranton Penguins Hockey Associates, Inc. (a Pennsylvania corporation) as the applicant. Wilkes-Barre Scranton Penguins Hockey Associates, Inc., however, did not exist as a corporate entity at the time App. Serial No. 75/782,757 was filed, nor has it ever existed as a corporate entity in Pennsylvania.
3. The original application papers should have listed Wilkes-Barre Scranton Hockey Associates (a limited partnership) as the applicant for Application Serial No. 75/782,757.
4. As evidenced by the enclosed Recordation Forms, the current applicant of Application Serial No. 75/782,757, for the mark PUCK PALS in International Classes 25 and 41, should be listed as "WBS Hockey, LP."
5. Under separate cover, Applicant is filing an Amendment of Application pursuant to 37 C.F.R. §2.71(d), which seeks to amend the name of the original applicant to Wilkes-Barre Scranton Hockey Associates;
6. Accordingly, I make this Declaration in support of the foregoing Recordation of Merger filed herewith, which seeks to record the merger of the correct applicant, Wilkes-Barre Scranton Hockey Associates with WBS Hockey, LLC.

Declarant further sayeth not.

Dated: 2/04/03

  
Greg Petorak  
Vice President  
WBS Hockey, L.P.

**AMENDMENT**

Please amend the above-identified application as follows:

Please change the name of the Applicant for Application Serial No. 75/782,757 from “Wilkes-Barre Scranton Penguins Hockey Associates, Inc.” (a Pennsylvania corporation) to “Wilkes-Barre Scranton Hockey Associates (a limited partnership).”

**REMARKS**

As declared by Mr. Greg Petorak in his Declaration, attached hereto as Exhibit A, the *original* applicant was and, at all relevant times, has been the “Wilkes-Barre Scranton Hockey Associates.” That is, the applicant’s legal name at the time of filing Application Serial No. 75/782,757 was “Wilkes-Barre Scranton Hockey Associates.” However, the paperwork for the intent-to-use application directed to the mark PUCK PALS erroneously reflected “Wilkes-Barre Scranton Penguins Hockey Associates, Inc.” as the applicant. As declared by Mr. Petorak, “Wilkes-Barre Scranton Penguins Hockey Associates, Inc.” was not a legal entity at the time of filing the foregoing application. As a result, Applicant seeks to amend the application to reflect the legal name of the *original* applicant as “Wilkes-Barre Scranton Hockey Associates.”

For the foregoing reasons, it is submitted that the applicant’s name in Application Serial No.75/782,757 be changed to “Wilkes-Barre Scranton Hockey Associates” (a limited partnership).

Please note, Applicant is filing two Recordations of Merger with the Assignment Division of the USPTO in connection with Application Serial No. 75/782,757 contemporaneous with this filing. These Recordations of Merger evidence that the

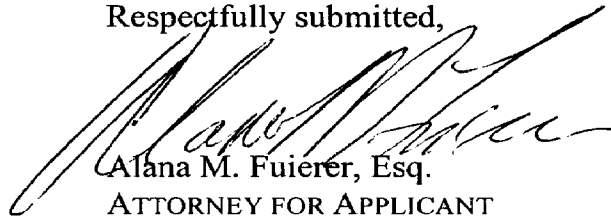


*current* Applicant should be listed as "WBS Hockey, LP." For the Examiner's convenience, Applicant has attached these Recordations of Merger as Exhibit B.

Accordingly, Applicant respectfully requests that the Examiner enter this amendment and then allow the Recordations of Merger to be completed before considering the Statement of Use, Request to Divide and Request for Extension of Time to File A Statement of Use for Application Serial No. 75/782,757, which are submitted herewith. In this way, any resulting Registrations for the mark PUCK PALS will reflect the proper owner of the mark.

Dated: February 5, 2003

Respectfully submitted,



Alana M. Fuierer, Esq.

ATTORNEY FOR APPLICANT  
The Bilicki Law Firm, P.C.

Furniture Mart Building, Suite 1000

111 West Second Street

Jamestown, NY 14701

Tel: (716) 664-5600

Fax: (716) 664-5606

# EXHIBIT

A

TRADEMARK  
Docket No. 237.025300

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mark: PUCK PALS  
Application Serial No.: 75/782,757  
Filing Date: August 23, 1999  
Original Applicant: Wilkes-Barre Scranton Penguins  
Hockey Associates, Inc.

DECLARATION

I, GREG PETORAK, pursuant to 28 U.S.C. §1746 and Rule 43(d) of the Federal Rules of Civil Procedure which relate to unsworn declarations, under penalty of perjury declare:

1. I am currently the Vice President of WBS Hockey, LP. I am over the age of twenty-one years old. I have personal knowledge of all matters set forth herein and I am competent to testify thereto.
2. Due to a typographical error, the original application papers for App. Serial No. 75/782,757 listed Wilkes-Barre Scranton Penguins Hockey Associates, Inc. (a Pennsylvania corporation) as the applicant. Wilkes-Barre Scranton Penguins Hockey Associates, Inc., however, did not exist as a corporate entity at the time App. Serial No. 75/782,757 was filed, nor has it ever existed as a corporate entity in Pennsylvania.
3. The original application papers should have listed Wilkes-Barre Scranton Hockey Associates (a limited partnership) as the applicant for App. Serial No. 75/782,757.
4. On September 3, 1999, a *Certificate of Merger or Consolidation - Limited Liability Corporation* was filed with the Pennsylvania Department of State merging the true applicant, Wilkes-Barre Scranton Hockey Associates (a limited partnership), and WBS Hockey, LLC (a limited liability corporation). The merger was effective as of September 3, 1999. The name of the surviving entity was WBS Hockey, LLC (a limited liability corporation), and WBS Hockey, LLC was a successor to the business of Wilkes-Barre Scranton Hockey Associates.
5. On June 29, 2001, a *Certificate of Merger or Consolidation - Limited Partnership* was filed with the Pennsylvania Department of State merging WBS Hockey, LLC (a limited liability corporation) and WBS Hockey, LP (a limited partnership). The merger became effective on July 1, 2001. The name of the surviving entity is WBS Hockey, LP (a limited partnership), and WBS Hockey, LP is a successor to the business of WBS Hockey, LLC.

Declaration for SofU

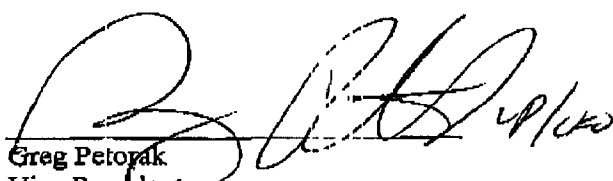
TRADEMARK  
REEL: 002669 FRAME: 0468

TRADEMARK  
Docket No. 237.025300

- 6. The current applicant of App. Serial No. 75/782,757, for the mark FUCK PALS in International Classes 25 and 41, should now be listed as "WBS Hockey, LP." The proper Recordation Forms and supporting documents, attached hereto, were filed with the United States Patent and Trademark Office, Assignment Division on or about February 5, 2003.
- 7. Accordingly, I make this Declaration in support of the foregoing Amendment of Application filed pursuant to 37 C.F.R. §2.71(d), seeking to amend the name of the original applicant to Wilkes-Barre Scranton Hockey Associates (a limited partnership).

Declarant further sayeth not.

Dated: 2/04/03



Greg Petopak  
Vice President  
WBS Hockey LP

Declaration forSofU