

03-03-2003



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Form PTO-1594 (Rev. 10/02) OMB No. 0651-0027 (exp. 6/30/2005) Tab settings

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

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

1. Name of conveying party(ies): 2-25-03 Doreen C. Wastchak, personal representative of the estate of David Wastchak, deceased. [] Individual(s) [] Association [] General Partnership [] Limited Partnership [] Corporation-State [x] Other personal representative of estate. Additional name(s) of conveying party(ies) attached? [] Yes [x] No

2. Name and address of receiving party(ies) Name: Doreen C. Wastchak, Trustee Internal Address: Street Address: 9070 E. Gary Road #107 City: Scottsdale State: AZ Zip: 85260 [] Individual(s) citizenship [] Association [] General Partnership [] Limited Partnership [] Corporation-State [x] Other Trustee - citizen of USA. 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

3. Nature of conveyance: [x] Assignment [] Merger [] Security Agreement [] Change of Name [] Other Execution Date: 01/23/2003

4. Application number(s) or registration number(s): A. Trademark Application No.(s) 76298767; 76297942 B. Trademark Registration No.(s) 2073704; 2111792; 1980791; 1697313; 1473858. Additional number(s) attached [] Yes [x] No

6. Total number of applications and registrations involved: 7

5. Name and address of party to whom correspondence concerning document should be mailed: Name: John L. Hay Internal Address: Gust Rosenfeld P.L.C. Street Address: 201 E. Washington St. #800 City: Phoenix State: AZ Zip: 85004

7. Total fee (37 CFR 3.41) \$ 190.00 [x] Enclosed [] Authorized to be charged to deposit account

8. Deposit account number:

02/28/2003 01 FC:8521 02 FC:8522

9. Signature. 40.00 OP 150.00 OP John L. Hay Name of Person Signing

Signature: John L. Hay

February 25, 2003 Date

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

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

TRADEMARK REEL: 002681 FRAME: 0649

AFFIDAVIT FOR COLLECTION OF PERSONAL PROPERTY

State of Arizona

County of Maricopa

Doreen C. Wastchak, Trustee of The Wastchak Family Trust under Trust Agreement dated January 16, 1981, as amended, ("Affiant"), being first duly sworn, on oath deposes and says:

1. David Wastchak, being a resident of the County of Maricopa, State of Arizona, died on December 26, 2001, more than 30 days prior to execution of this affidavit.

2. The value of all of the personal property owned by the decedent and subject to probate jurisdiction of this Court, less liens and encumbrances, does not exceed \$50,000.

3. Affiant is the successor of the decedent and is entitled to all of decedent's property set forth below.

4. No application or petition for the appointment of a personal representative is pending or has been granted in any jurisdiction.

5. Decedent owned personal property located in Arizona described as follows:

All of Decedent's right, title and interest in and to trademarks, service marks, trade names, logos, copyrights and other proprietary rights, and all subsidiary rights thereto, including by way of illustration the following:

a. Trademark "IOBROM" U.S. Patent and Trademark Office registration no. 2073704;

b. Trademark "ROYAL SILVER" U.S. Patent and Trademark Office registration no. 2111792;

c. Trademark "FIRE IN ICE" U.S. Patent and Trademark Office registration no. 1980791;

d. Trademark "ENDURASOL" U.S. Patent and Trademark Office registration no. 1697313;

e. Trademark of design (as shown in the attached sheet) U.S. Patent and Trademark Office registration no. 1473858;

f. Trademark (application pending) "PHOENIX PRO" U.S. Patent and Trademark Office serial no. 76298767; and

g. Trademark (application pending) "TOGETHER" U.S. Patent and Trademark Office serial no. 76297942.

This affidavit is made pursuant to Arizona Revised Statutes Section 14-3971, for the purpose of making claim to property of the above-named decedent under said statute.

Dated this 33 day of JAN, ²⁰⁰³~~2002~~.

THE WASTCHAK FAMILY
TRUST under Trust Agreement dated
January 16, 1981, as amended

By *Doreen Wastchak*
Doreen C. Wastchak, Trustee

Subscribed and sworn to before me this 33 day of JAN, ²⁰⁰³~~2002~~.

(Seal and Expiration Date) 1-15-05

Connie Chung
Notary Public

