

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

RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

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

Tab settings

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

1. Name of conveying party(ies): FRANCISCO Coll

Estate, AKA Francisco Coll  
Monge estate

- Individual(s)
- General Partnership
- Corporation-State
- Other ESTATE
- 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: 12/01/2003

2. Name and address of receiving party(ies)

Name: Francisco David Coll

Internal

Address: PO BOX 252, FCM Estate

Street Address: 1447 HWY 69 NORTH

City: OSCEOLA State: IA Zip 50213

- Individual(s) citizenship USA
- Association
- General Partnership
- Limited Partnership
- Corporation-State
- 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) Reg. #1722607

Additional number(s) attached  Yes  No

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

Name: Robert Conrad, VP

Internal Address: ALLEY/Estate, PO BOX 252

Street Address: 1447 HWY 69 North

City: OSCEOLA State: IA Zip: 50213

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

- Enclosed CC FORM ATTACHED
- Authorized to be charged to deposit account

8. Deposit account number:

DO NOT USE THIS SPACE

9. Signature.

ROBERT CONRAD  
Name of Person Signing

*Robert Conrad*  
Signature

12/01/2003  
Date

Total number of pages including cover sheet, attachments, and document: 12

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

CP \$80.00 1722607

**Continuation Sheet #2****CONVEYING PARTY:**

a.k.a. Francisco Coll Monge Estate, a Puerto Rico Estate, 8036 Idylwood Road. Dunn Loring, VA 22027

**RECEIVING PARTY :**

..., The Executor of the Francisco Coll Estate, a Puerto Rico Estate, The Executives comprising, Francisco David Coll, a US Citizen, .PO Box 252, 1447 Hwy 69North, Osceola, IA 50213

## CERTIFIED TRANSLATION

COMMONWEALTH OF PUERTO RICO  
COURT OF FIRST INSTANCE  
CAROLINA SUPERIOR COURT

FRANCISCO DAVID COLL SCHWAB

PETITIONER

EX-PARTE

CIVIL NO.: FJV 2000-0636  
(408)

RE:

JUDICIAL ADMINISTRATION  
APPOINTMENT OF EXECUTOR

## DECISION

The petitioner in the above-captioned case, has filed a duly sworn petition for appointment as judicial administrator and executor, through Atty. Kermit Ortiz Morales, to declare as judicial administrator and executor of the assets belonging to the estate of the decedent, Mr. Francisco Coll Monge, his only son, Francisco David Coll Schwab.

From the documentary and oral evidence presented in support of said petition, there appears that the Testator, Mr. Francisco Coll Monge, died in San Juan, Puerto Rico on May 15, 1999, without having executed a nuncupative or holographic will.

From said documentary evidence, there also appears that at the time of his death, the Testator was single, and that in life he had only procreated one son, the Petitioner, who is his only and universal heir.

This Court was guaranteed, under oath, that prior to the filing of the above-captioned petition, all the investigations and corresponding search was carried out in pursuit of wills or other testamentary provisions, all of which had negative results; that

CAROLINA, PUERTO RICO, ON SEPTEMBER 21, 2000.

ELBA N. MOURA CASTELLAR

CLERK

BY: MARISOL NAZARIO

DEPUTY CLERK

(ILLEG.) A.T.750 - NOTIFICATION OF DECISIONS AND ORDERS

United States District Court  
For the District of Puerto Rico

-CERTIFIED-

To be a correct translation prepared by:

Annie Flores

Certified Court Interpreter  
Administrative Office of the  
United States Courts

CERTIFIED TRANSLATION  
COMMONWEALTH OF PUERTO RICO  
COURT OF FIRST INSTANCE  
CAROLINA SUPERIOR COURT

COLL SCHWABB, FRANCISCO DAVID

PLAINTIFF

vs.

EX-PARTE

DEFENDANT

CASE NO. F JV2000-0636  
ROOM : 0408

MOTIVE OR OFFENSE:

JUDICIAL  
ADMINISTRATION OF  
DECEDENT'S ESTATE

ATTY. ORTIZ MORALES, KERMIT  
BANKTRUST PLAZA SUITE 803  
255 PONCE DE LEON AVE.  
SAN JUAN, PR 00917

NOTIFICATION

I CERTIFY THAT IN RELATION TO THE ABOVE-CAPTIONED CASE, ON  
SEPTEMBER 18, 2000, THE COURT ENTERED THE ATTACHED DECISION.

SGD. HERMAN LUGO DEL TORO  
JUDGE

I ALSO CERTIFY THAT ON THIS DATE I SENT BY MAIL A COPY OF  
THIS NOTIFICATION TO THE FOLLOWING PERSONS AT THEIR INDICATED  
ADDRESSES, HAVING ON THIS SAME DATE FILED IN THE RECORD OF THE  
CASE, A COPY OF THIS NOTIFICATION.

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the Petitioner is the only son of the Testator and that the latter, at the time of his death, left multiple personal property and real estate, located in Puerto Rico as well as in the United States, England, New Zealand, Australia and Canada; as well as several complicated businesses to administer and multiple debts, obligations and creditors that must be attended to.

It was reasonably proven to this Court that the multiple assets belonging to the estate of the decedent, Mr. Francisco Coll Monge, are in danger of being ruined or deteriorated, in all or in part, for lack of a person to administer, preserve, defend and adequately protect them, according to the best interest of the decedent's estate, his creditors and heirs, in such a way as to enable its subsequent distribution among the heirs, if assets were to remain after paying the legitimate creditors of the estate.

This Court was also duly guaranteed that there exist multiple creditors of the decedent's estate, who have already notified their amounts due and claims; as well as the fact that there exist debts and obligations of the Testator to pay and corporate and business matters of the latter to take care of, which need and demand to be attended to, organized and disposed of by an administrator or executor and with sufficient legal authority to thus administer and dispose.

Similarly, the property belonging to the estate of the decedent, Mr. Francisco Coll Monge, must be identified (in Puerto Rico as well as abroad), appraised, divided and settled in benefit of his creditors and heirs; all of which requires that a person immediately assume the legal administration of the property and business matters

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belonging to said decedent's estate.

The aforementioned evidence having been seen, this Court GRANTS the petition filed, object of the above-captioned case and, as a consequence thereof, it appoints the Petitioner, Francisco David Coll Schwab, as judicial administrator and general executor of all the personal property, real estate and business matters belonging to the estate of the decedent, Mr. Francisco Coll Monge. This Judicial Decision constitutes the evidence of his authority as judicial administrator and executor of the property of the estate of the decedent, Francisco Coll Monge, without the need of any further legal document.

In accordance with the petition and in view of the fact that the herein appointed judicial administrator and executor is the only heir of the decedent's estate in liquidation, and that the latter accepted his inheritance by right of inventory, this Court exempts and releases the Petitioner, Francisco David Coll Schwab, from posting bond.

The Petitioner, Francisco David Coll Schwab, shall perform the duty of judicial administrator and executor until the liquidation and final partition of the inheritance, even if the same were to take a period longer than the one (1)- year term that the Civil Code of Puerto Rico fixes.

The Petitioner, Francisco David Coll Schwab, shall be entitled to receive from the decedent's estate in liquidation, in remuneration for his services, that percentage of the income that may be generated during his executorship, which is established and provided by Article 586 of the Code of Civil Procedure of Puerto Rico, 32 LPRA 2491. The judicial administrator and executor shall also be paid the indispensable expenses that the

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administration of the estate of the decedent, Mr. Francisco Coll Monge, may entail until its liquidation, including the costs and expenses incurred in the publication of announcements and edicts; in the preservation and custody of the assets; in consultations and professional services of attorneys and authorized public accountants; and all incidental and necessary expenses incurred by the judicial administrator and executor in the inventory, appraisal, administration, liquidation and partition of the property belonging to the decedent's estate.

Within ten (10) days of his appointment, the administrator and executor shall proceed to form an inventory of the personal property and real estate belonging to the decedent's succession, according to the provisions of Articles 568 and 569 of the Code of Civil Procedure of Puerto Rico, 32 LPRA 2401 and 2402.

The administrator and executor shall take immediate possession of all the property, money, personal property and real estate, livestock, corporate stock, tangible and intangible rights and fruits collected belonging to the decedent, Francisco Coll Monge, and shall proceed to keep them in a safe place and to administer them in the best interest of the wealth in liquidation, his creditors and heirs. The judicial administrator and executor shall preserve the property of the decedent, and shall seek to collect the corresponding revenues, returns and earnings.

It shall be the legal prerogative of the judicial administrator and executor to represent the decedent, Mr. Francisco Coll Monge, in all the judicial and administrative procedures, brought by or against the same before his death, and in those which may be



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brought afterwards for or against the inheritance; and shall represent the decedent, Mr. Francisco Coll Monge, in all those business and corporate matters that the former carried out before his death and shall vote on all corporate stock belonging to estate of the Testator.

It shall be the duty of the herein appointed administrator and executor, to satisfy with priority all the legitimate debts of the decedent within a reasonable term, and shall file as soon as possible, the corresponding returns for the decedent's estate, before the Puerto Rico Treasury Department.

In the performance of his administrative duties and for the protection of the best interest of the decedent's estate in liquidation, his creditors and heirs, the judicial administrator and executor may sell inventoried property of the decedent's estate, without subsequent judicial authorization, when said sale may be necessary in order for the deterioration of the property to be sold, to cease, when its preservation may be difficult or costly; when circumstances advantageous to the decedant's estate may present themselves or when the sale may be necessary for the payment of debts of the Testator or to cover obligations of his administration.

Taking into consideration the multiple business and corporate matters in which the Testator was involved at the time of his death, as well as the multiple assets that exist in Puerto Rico and abroad, and the multiple claims of creditors that have been produced up to now, in addition to those prerogatives and powers that the Civil Code of Puerto Rico and the Code of Civil Procedure of Puerto Rico grant a judicial administrator

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and executor in the performance of his duties, the herein appointed judicial administrator and executor shall have full authority, without the following being understood as a limitation:

a. To buy, sell, exchange, lease, mortgage or in any other way or manner acquire assets or transfer the property belonging to the estate, in all or in part, as well as its social rights, corporate stock, bonds and negotiable or non-negotiable obligations of any kind, as well as any participation, right or interest that in said entities, assets or properties, the Testator may have, and to bind himself, in the name of the estate, to deliver specific assets or money in payment of or in exchange for an interest in said properties or entities, or in exchange for debts, being able to agree to the payment under the terms and conditions that he may consider suitable, and to that effect, execute the public and private documents that correspond to each case.

b. To accept obligations in favor of the decedent's estate or bind it regarding any type of obligations of giving and doing, be it in absolute terms or with the limitations that may be agreed to; and to sell back to the vendor or retract assets in those cases where it may be in order, according to his best judgment.

c. To attend regular and special board meetings of any corporation or society of which he may be a stockholder or in which the Testator may have had proprietary interest, and in said boards, express his opinion and vote on said corporate stock.

d. The judicial administrator and executor is also authorized to take any judicial, extrajudicial or administrative action that he may consider necessary or relevant in order

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to defend the rights and interests of the Testator and his estate in any corporation or business belonging to, in all or in part, to the Testator before his death.

e. He may consent to adjudications in payment of debts to the Testator; settle differences, stipulate terms, satisfy the corresponding taxes and contributions, or litigate its amount judicially or administratively; sign sworn statements and practice whatever may proceed until the termination of the partitive operations or inscription of the same.

f. To condone, all or in part, the existing credits, and grant extensions for their collection. Admit in payment of debts, assets of any nature, for the value that may be indicated.

g. To open bank accounts in the name of the Testator's estate or in his own name, in any banking institution in the manner in which the judicial administrator and executor may deem suitable; deposit and withdraw funds from said accounts, as well as any other bank account that the Testator may have in Puerto Rico, the United States or abroad; and in the operation of said accounts, to withdraw the funds that the administrator may deem necessary, without any limitation whatsoever, the judicial administrator and executor being obliged to pay any overdraft that may be incurred by him.

h. To borrow money in the name of the estate in any bank in Puerto Rico or abroad, subscribing the obligations and guarantee documents that may be agreed to. Make credit applications, make commercial and personal loans and oblige the Testator's estate regarding said operations in the manner in which it was agreed. Sign, endorse, accept or repudiate drafts, promissory notes and any type of negotiable documents

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pertaining in all or in part to the Testator.

i. To appear before any corresponding government organism to file a lawsuit and an appeal, in all matters subject to its jurisdiction.

j. To execute all public and private documents that the nature of his actions may demand or require, to give specific performance to all the endeavors and duties that the judicial administrator and executor is granted by means of this Judicial Decision.

The executor shall file before this Court, quarterly accounts of the amounts received and disbursed by him, accompanied by a sworn statement of their voucher of payment, where the cash balance that may result from the same, is evidenced.

When the executor has completed the liquidation of the assets, resigns or is separated from his position, or, for any other cause may cease in the performance of his duties, he shall file before this Court a final sworn account accompanied by the corresponding receipts.

TO BE ENTERED AND NOTIFIED.

ISSUED in Carolina, Puerto Rico, on this 18<sup>th</sup> day of September, 2000.

(Signed)

\_\_\_\_\_  
JUDGE OF THE COURT OF FIRST INSTANCE

HERMAN LUGO DEL TORO

SUPERIOR COURT JUDGE

I Certify:

ELBA N. MOURA CASTELLAR  
General Regional Clerk

BY: MARISOL NAZARIO  
Deputy Clerk

(The seal of the Court of First Instance  
General Court of Justice, Commonwealth of Puerto Rico  
Carolina Superior Court is stamped on all pages of the  
original Spanish document)

United States District Court  
For the District of Puerto Rico

-CERTIFIED-

To be a correct translation prepared by:

Annie Flores

Certified Court Interpreter  
Administrative Office of the  
United States Courts