

12-24-2003

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

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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):

RONALD E. WHEELER

- Individual(s) [checked] Association [] General Partnership [] Limited Partnership [] Corporation-State [] Other []

Additional name(s) of conveying party(ies) attached? Yes [] No [checked]

3. Nature of conveyance:

- Assignment [checked] Merger [] Security Agreement [] Change of Name [] Other []

Execution Date: 11/29/03

2. Name and address of receiving party(ies)

Name: AMERICAN CANCER SOCIETY, INC.

Internal Address:

Street Address: 1599 CLIFTON RD, NE

City: ATLANTA State: GA Zip: 30329

- Individual(s) citizenship [] Association [] General Partnership [] Limited Partnership [] Corporation-State [checked] NEW YORK Other []

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes [] No [checked] (Designations must be a separate document from assignment) Additional name(s) & address(es) attached? Yes [] No [checked]

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

2703339

Additional number(s) attached Yes [] No [checked]

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

Name: ANTHONY SAFFIOTI

Internal Address: 1599 CLIFTON RD, NE

ATLANTA, GA 30329

Street Address: 1599 CLIFTON RD, NE

City: ATLANTA State: GA Zip: 30329

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 [checked]

8. Deposit account number:

501098

(Attach duplicate copy of this page if paying by deposit account)

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.

Anthony Saffioti

Name of Person Signing

[Signature]

Signature

12/10/03

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

12/23/2003 EDDOPER 00000281 501098 2703339

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TRADEMARK REEL: 002884 FRAME: 0898

TRADEMARK/SERVICE MARK ASSIGNMENT

THIS AGREEMENT ("Agreement"), effective September ____, 2003, is between American Cancer Society, Inc., a New York corporation ("ACS") and Ronald E. Wheeler, individually ("Wheeler").

WHEREAS, ACS owns service marks including but not limited to, AMERICAN CANCER SOCIETY, U.S. Registration No. 1,615,654 issued October 2, 1990 (the "Registration");

WHEREAS, the service mark AMERICAN CANCER SOCIETY is used by ACS in connection with the following goods and services: (1) charitable fundraising services relating to cancer in International Class 36; (2) association services, namely, promoting the public interest and awareness in cancer research and education, and for cancer research services in International Class 42; (3) education services, namely conducting courses on topics relating to cancer and distributing educational materials in connection therewith in International Class 41; (4) pamphlets, brochures, books, and newsletters relating to cancer and cancer research in International Class 16; and (5) shirts, pants, headwear and hats in International Class 25;

WHEREAS, Wheeler commenced use in interstate commerce of the mark THE AMERICAN PROSTATITIS AND PROSTATE CANCER SOCIETY ("Wheeler's Mark") for promoting public awareness of prostate health and treatment of prostate diseases and injuries and registered Wheeler's Mark on the Supplemental Register of the United States Patent and Trademark Office, Serial No. 78/110,896 ("Wheeler's Registration");

WHEREAS, Wheeler desires to assign to ACS all worldwide rights it holds in and to Wheeler's Mark and Wheeler's Registration, together with any associated goodwill; and

NOW THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt of which is hereby acknowledged:

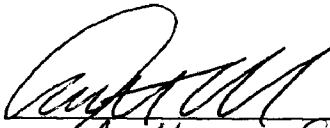
1. Wheeler hereby assigns to ACS all right, title and interest in and to Wheeler's Mark and Wheeler's Registration, together with the good will of the business symbolized by Wheeler's Mark and the identified Registration therefore, and with all claims that could be asserted by Wheeler arising out of or relating to the use or ownership of Wheeler's Mark or Wheeler's Registration in accordance with Trademark Act § 10, 15 U.S.C. § 1060. Further, Wheeler hereby assigns all worldwide rights, title and interest it may have in Wheeler's Mark and Wheeler's Registration together with the good will of the business symbolized by such mark and registration, and any foreign applications and/or other registrations therefore, and with all claims that could be asserted by Wheeler arising out of or relating to the use or ownership of Wheeler's Mark and Wheeler's Registration.

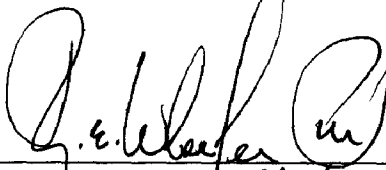
2. Wheeler agrees that upon request by ACS he shall execute or arrange to have executed any and all further documents as are necessary and/or required to effectuate the recording of this assignment of Wheeler's Mark and Wheeler's Registration.

3. Wheeler, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the U.S. Code and that such willful false statements may jeopardize the validity of the identified United States application or any registrations resulting therefrom, declares that he is authorized to execute this instrument and that all statements made of his knowledge are true and all statements made on information and belief are believed to be true.

AMERICAN CANCER SOCIETY,
INC.

RONALD E. WHEELER

By: 
Name: Anthony Saffioti
Title: Corporate Paralegal
Date: 12/29/03


Date: 1/10/03

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