

1/29/04

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102668084 TRADEMARKS ONLY

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): Oneonta Athletic Corp.

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

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

3. Nature of conveyance:

- Assignment, Merger, Security Agreement, Change of Name, Other Nunc Pro Tunc Assignment effective

Execution Date: 3/28/2000

2. Name and address of receiving party(ies)

Name: Ohio State University

Internal Address:

Street Address: 190 North Oval Mall

City: Columbus State: OH Zip: 43210

- Individual(s) citizenship, Association, General Partnership, Limited Partnership, Corporation-State, Other Institution of the State of Ohio

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) 75/095,418

B. Trademark Registration No.(s) 2,064,906

Additional number(s) attached Yes No

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

Name: Joan C. Makley

Internal Address:

Vorys, Sater, Seymour and Pease LLP

Street Address: 52 East Gay Street

P.O. Box 1008

City: Columbus State: OH Zip: 43216-1008

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:

DO NOT USE THIS SPACE

9. Signature.

Joan C. Makley Name of Person Signing

Signature

1/27/04 Date

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

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

TRADEMARK REEL: 002912 FRAME: 0398

**TRADEMARK ASSIGNMENT**  
**NUNC PRO TUNC**

WHEREAS, Oneonta Athletic Corp., a New York corporation ("Assignor"), located and doing business at 95 River Street, Oneonta, NY 13820, filed Application Ser. No. 75/095,418 for the stylized mark "O" (the "Trademark") on April 29, 1996 (the "Application").

WHEREAS, on March 28, 2000, Assignor assigned all of its right, title and interest in the Trademark to Ohio State University, an institution of the State of Ohio ("Assignee"), located and doing business at 190 North Oval Mall, Columbus, Ohio 43210.

WHEREAS, the March 28, 2000 assignment, recorded in the U.S. Patent and Trademark Office ("USPTO") on April 3, 2000, identified Assignor by the name indicated in the Application which was incorrect (i.e., Oneonta Athletic Corporation, Inc.)

WHEREAS, the parties desire to correct this error by executing and recording this Trademark Assignment, Nunc Pro Tunc.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby assign, convey and transfer unto Assignee, Nunc Pro Tunc as of March 28, 2000, all right and title and interest in and to the Trademark, together with the goodwill of the business symbolized by the Trademark and the registration thereof.

Assignor further assigns unto Assignee all right to sue for and to receive all damages accruing from past infringement of the Trademark.

Assignor undertakes that upon the request of Assignee or its designees, it and/or its successor in business, shall make all rightful oaths, testify on behalf of Assignee or its designees in matters involving the Trademark and do all other lawful acts necessary to carry out the intent

CERTIFICATE OF MAILING UNDER RULE 1.8 (a)  
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3514 on the date shown below:

Name JOAN C. MALLEY  
Signature [Handwritten Signature]  
Date Jan 27, 2004

01/27/2004 10:59 FAX 202 467 8900

VSSP-WASHINGTON

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MINOR LEAGUE BASEBALL

PAGE 03

FROM: ONEONTA ATHLETIC CORP.

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of this assignment as well as to provide such other material, information and assistance to Assignee or its designees, as well be considered necessary in connection therewith.

IN WITNESS WHEREOF, the undersigned has caused this assignment to be executed effective, Nunc Pro Tunc, as of the 28<sup>th</sup> day of March, 2000.

ONEONTA ATHLETIC CORP.

By: Albert Sam Nador  
Albert Sam Nador, President