

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):

John Douglas Futch

- 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: 10/1/04

2. Name and address of receiving party(ies)

Name: EBSCO Industries, Inc.

Internal Address:

Street Address: 5724 Highway 280 East

City: Birmingham State: AL Zip: 35242-6818

- Individual(s) citizenship, Association, General Partnership, Limited Partnership, Corporation-State Delaware [checked], 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) 2,434,078

Additional number(s) attached Yes No [checked]

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

Name: Arthur A. Gardner

Internal Address: GARDNER GROFF, P.C.

Street Address: 600 Village Trace, Suite 300

City: Marietta State: GA Zip: 30067

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:

501513

DO NOT USE THIS SPACE

9. Signature.

Arthur A. Gardner Name of Person Signing

[Handwritten Signature] Signature

October 8, 2004 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

CH \$40.00 601613 2434078

TRADEMARK ASSIGNMENT

In consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of FIVE THOUSAND Dollars and NO/100's (\$5,000.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration, ASSIGNOR:

John Douglas Futch, a person of majority age, residing at 1336 Talbert Street, Arcadia, Louisiana;

Does hereby sell, assign and transfer to ASSIGNEE:

EBSCO Industries, Inc., a Delaware Corporation having a principle place of business at 5724 Highway 280 East, Birmingham, Alabama, 35242-6818,

The entire right, title and interest, and the goodwill associated therewith, in and to the following:

- (1) United States Trademark Reg. No. 2,434,078 for the mark "QUICK DRAW" registered in International Class 028 on March 6, 2001, for "Hunting Stands for Use in Trees;"
- (2) any and all common law rights belonging to ASSIGNOR in and to the mark "QUICK DRAW" as used with hunting stands for use in trees; and
- (3) any and all past, present and future claims for infringement of the QUICK DRAW mark, by any party arising prior to the execution of this Assignment, including the right to any monetary recovery from such claims, whether such recovery is based in damages, lost profits, an accounting of profits, attorneys fees, court costs, or any other form whatsoever.

ASSIGNOR hereby covenants that no license, assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment or which would otherwise operate to give any rights in the QUICK DRAW trademark to any third party;

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent documents relating to said trademark and said Registration and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to perfect the transfer of, apply for, obtain, maintain, issue and enforce said trademark and said Registration and said common law rights thereof.

THUS READ, AGREED TO AND SIGNED in triplicate on the dates indicated hereinbelow.

WITNESSES:

Nianne J. Anteh
Samantha D. Spivey

ASSIGNOR:

John Douglas Futch
 John Douglas Futch

AFFIDAVIT OF EXECUTION

STATE OF LOUISIANA
 PARISH OF BIENVILLE

BE IT KNOWN, that on this 19 day of October, 2004, before me, the undersigned authority, duly commissioned and qualified in and for the aforesaid Parish and State, and the undersigned competent witnesses of majority age, personally came and appeared,

JOHN DOUGLAS FUTCH

who after being first duly sworn under oath did state that he executed the above and foregoing Trademark Assignment of his own free will, as his own act and deed, for the uses, purposes and benefits therein expressed.

WITNESSES:

Nianne J. Anteh
Samantha D. Spivey

John Douglas Futch
 John Douglas Futch

Cathy Aycock
 NOTARY PUBLIC
 My commission expires LIFE