

Form PTO-1594 (Rev. 06/04)
OMB Collection 0651-0027 (exp. 6/30/2005)

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

RECORDATION FORM COVER SHEET TRADEMARKS ONLY

To the Director of the U. S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies)/Execution Date(s):

Dagger Canoe Company, Inc.

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

Citizenship (see guidelines) Tennessee

Execution Date(s) October 7, 2004

Additional names of conveying parties attached? Yes No

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other Correction to Assignment
- Merger
- Change of Name

2. Name and address of receiving party(ies)

Additional names, addresses, or citizenship attached? Yes No

Name: Watermark Paddlesports, Inc.

Internal

Address:

Street Address: 111 Kayaker Way

City: Easley

State: SC

Country: _____ Zip: 29642

- Association Citizenship _____
- General Partnership Citizenship _____
- Limited Partnership Citizenship _____
- Corporation Citizenship Delaware
- Other _____ Citizenship _____

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)

4. Application number(s) or registration number(s) and identification or description of the Trademark.

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

2,151,856

Additional sheet(s) attached? Yes No

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):

DAGGER; filed 9/23/1996

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

Name: Noel M. Cook

Internal Address: Owen Wickersham & Erickson
Suite 1910

Street Address: _____
455 Market Street

City: San Francisco

State: CA Zip: 94105

Phone Number: (415) 882-3200

Fax Number: (415) 882-3232

Email Address: _____

6. Total number of applications and registrations involved:

1

7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ 40.00

- Authorized to be charged by credit card
- Authorized to be charged to deposit account
- Enclosed

8. Payment Information:

a. Credit Card Last 4 Numbers _____
Expiration Date _____

b. Deposit Account Number 502333

Authorized User Name Noel M. Cook

9. Signature:



Signature

October 12, 2004

Date

Noel M. Cook

Name of Person Signing

Total number of pages including cover sheet, attachments, and document: 6

Documents to be recorded (including cover sheet) should be faxed to (703) 306-5995, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

CH \$40.00 502333 2151856

DECLARATION

I, Joe Pulliam, declare as follows:

1. I am Executive Vice-President, Business Development for Watermark Paddlesports, Inc. ("Watermark"). I make the following statements based on personal knowledge.
2. Watermark is the owner of the trademark registration for the mark DAGGER (Reg. No. 2,151,856).
3. The original owner of Reg. No. 2,151,856 was Dagger Canoe Company, Inc., a Tennessee corporation. On June 25, 1998, the assets of Dagger Canoe Company, Inc., including Reg. No. 2,151,856, were acquired by Dagg Acquisition, Inc., a Tennessee corporation.
4. Following the acquisition of Reg. No. 2,151,856, the name of Dagg Acquisition, Inc. was changed to Dagger, Inc., also a Tennessee corporation.
5. On January 1, 2000, Dagger Inc. was merged into Watermark Paddlesports, Inc., a Delaware corporation, and Watermark Paddlesports, Inc. thereby became the owner of Reg. No. 2,151,856. Watermark Paddlesports, Inc. continues to own Reg. No. 2,151,856 and owned the registration at the time the Section 8 & 15 Combined Affidavit was submitted in support of this registration.
6. On September 4, 2002, an incorrect assignment dated August 28, 2002 was recorded in the U.S. Patent and Trademark Office against Reg. No. 2,151,856 from Dagger, Inc. to Watermark Paddlesports, Inc. at Reel and Frame 2579/0233. A true and

correct copy of this recordation is attached hereto as Exhibit 1. This assignment was incorrect because Dagger, Inc. was in fact merged into Watermark Paddlesports, Inc. on January 1, 2000, prior to the date of the assignment. Accordingly, Dagger, Inc. was no longer in existence as of the date of the assignment and the assignment is therefore invalid. Furthermore, the assignment is also invalid because it does not correctly reflect the manner by which ownership of Reg. No. 2,151,856 passed from Dagger, Inc. to Watermark Paddlesports, Inc., i.e., by virtue of merger of Dagger, Inc. into Watermark Paddlesports, Inc. Accordingly, it is requested that the recordation of this assignment be corrected by recording this information of the invalidity of the assignment against the recordation.


7. On July 14, 2003, an incorrect assignment dated July 7, 2003 was recorded in the U.S. Patent and Trademark Office against Reg. No. 2,151,856 from Dagger Canoe Company, Inc. to Watermark Paddlesports, Inc. at Reel and Frame 2682/0687. This assignment was incorrect because Dagger Canoe Company, Inc. did not directly transfer ownership of Reg. No. 2,151,856 to Watermark Paddlesports, Inc. Watermark Paddlesports, Inc. acquired ownership of Reg. No. 2,151,856 as a result of its merger with Dagger, Inc. Dagger Canoe Company, Inc. was unable to assign any rights in Reg. No. 2,151,856 on July 7, 2003, as those rights had already been acquired from Dagger Canoe Company, Inc. by Dagg Acquisition, Inc. (which changed its name to Dagger, Inc.) and Dagger Canoe Company, Inc. did not possess any rights in Reg. No. 2,151,856 as of the date of the assignment. Thus, the assignment reflected at Reel and Frame

2682/0687 is invalid. Accordingly, it is requested that the recordation of this assignment be corrected by recording this information of the invalidity of the assignment against the recordation.

7. It is my understanding that these assignments were executed and recorded with the U.S. Patent and Trademark Office as a result of administrative oversight.

8. None of the companies which owned Reg. No. 2,151,856 prior to Watermark Paddlesports, Inc., i.e., Dagger Canoe Company, Inc., Dagg Acquisition, Inc. and Dagger, Inc., is presently in existence and there is no one available to speak to this issue other than the current owner, Watermark Paddlesports, Inc.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on October 7, 2004 in Easley, South Carolina.



Joe Pulliam
Executive Vice-President,
Business Development

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TRADEMARK ASSIGNMENT

WHEREAS, Dagger Canoe Company, Inc., a Tennessee corporation, formerly of P.O. Box 1500, Harriman, TN 37748, is the registered owner of the following trademark:

DAGGER

Registration No. 2,151,856

Registration date: April 21, 1998

WHEREAS, Watermark Paddlesports, Inc., a Delaware corporation with offices located at 1111 Kayaker Way, Easley, SC 29642, has acquired by various mergers and name changes the rights to said trademark for good and valuable consideration, receipt of which is hereby acknowledged.

NOW, THEREFORE, said Dagger Canoe Company, Inc. has and does hereby assign to the said Watermark Paddlesports, Inc. all right, title and interest in and to the said trademark, together with the good will of the business symbolized by the marks and the above registration.

DAGGER CANOE COMPANY, INC.

By: 

Joe Pulliam, President

Date

7/7/03

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RECORDED: 07/14/2003

RECORDED: 10/15/2004

TRADEMARK
REEL: 002682 FRAME: 0688TRADEMARK
REEL: 002955 FRAME: 0694