

4/29/04

05-04-2004



To the Honorable Commissioner of Pa

attached original documents or copy thereof.

1. Name of conveying party(ies): 102737084
Porsche Design Management GmbH
Individual Association
General Partnership Limited Partnership
Corporation
Other - Austrian Limited Liability Company
Additional name(s) of conveying party(ies) attached? Yes No

address of receiving party(ies):
Familie Porsche AG Beteiligungsgesellschaft
Giselakai 37
A-5020 Salzburg
Austria
Individual(s) citizenship
Association
General Partnership

3. Nature of conveyance:
Assignment Merger
Security Agreement Change of Name
Other
Execution Date: December 2, 2003

Limited Partnership
Corporation
Other - Austrian Limited Liability Company
If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No
Additional name(s) & address(es) attached? Yes No

4. Application number(s) or registration number(s):
A. Trademark Application No.(s):
78/104840

B. Trademark Registration No(s):
OPR/FINANCE
APR 27 11 7:19

Additional numbers attached? Yes No

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

6. Total number of applications and registrations involved: 1

Name: Susan Barbieri Montgomery, Esq.
Internal Address: Foley Hoag LLP

7. Total fee (37 CFR 3.41): \$40.00
Enclosed
Authorized to be charged to deposit account

Street Address: World Trade Center West, 155 Seaport Blvd.
City: Boston State: MA ZIP: 02210-2600

8. Deposit account number:
06-1446
(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.
Susan Barbieri Montgomery, Esq.
Name of Person Signing
Signature
Date: April 27, 2004
Total number of pages comprising cover sheet:

04/30/2004 ECDOPER 00000028 061446 78104840
01 FC:8521 40.00 BA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mark: PERFORMANCE DRIVEN
App. No.: 78/104,840
App. Date: January 25, 2002
Registrant: Familie Porsche AG Beteiligungsgesellschaft
Class: 034

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

Sir:

DESIGNATION OF DOMESTIC REPRESENTATIVE

Susan Barbieri Montgomery, Esq., Charles E. Weinstein, Esq., Bruce R. Parker, Esq., John L. Welch, Esq., Thomas M.S. Hemnes, Esq., T. Maria Lam, Esq., and Gina M. Perini, Esq. members of the bar of The Commonwealth of Massachusetts, whose postal address is Foley Hoag LLP, Seaport World Trade Center West, 155 Seaport Boulevard, Boston, Massachusetts 02210-2600 U.S.A, are hereby designated Applicant's representatives upon whom notice or process in proceedings affecting this application may be served.

AUTHORIZATION


The undersigned hereby appoints the U.S. attorneys named above to take any action to be taken in the U.S. Patent and Trademark Office regarding this application, and to accept and follow instructions from the undersigned's counsel without direct communication between the U.S. attorneys and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys will be so notified by the undersigned.

REVOCAION OF POWER OF ATTORNEY AND APPOINTMENT OF NEW ATTORNEY

Applicant hereby revokes all previous powers of attorney and appoints Susan Barbieri Montgomery, Esq., Charles E. Weinstein, Esq., Bruce R. Parker, Esq., John L. Welch, Esq., Thomas M.S. Hemnes, Esq., T. Maria Lam, Esq., and Gina M. Perini, Esq., of Foley Hoag LLP, Seaport World Trade Center West, 155 Seaport Boulevard, Boston, Massachusetts 02210-2600 U.S.A, (617) 832-1000, Members of the Bar of The Commonwealth of Massachusetts to transact all business in the U.S. Patent and Trademark Office in connection with the above-referenced application, and to receive all correspondence from the U.S. Patent and Trademark Office in connection therewith.

Respectfully submitted,
Familie Porsche AG Beteiligungsgesellschaft

Date: 02 December 2003

By: 
Name: Dr. Oliver Porsche
Title: CEO

TRADEMARK ASSIGNMENT

This Assignment is made by Porsche Design Management GmbH ("Assignor"), an Austrian Limited Liability Company, which was formerly known as Porsche Design Management GmbH & Co. KG, an Austrian Limited Partnership, with offices at Giselakai 37, A-5020 Salzburg, Austria, and to Familie Porsche AG Beteiligungsgesellschaft ("Assignee"), an Austrian Limited Liability Company with offices at Giselakai 37, A-5020 Salzburg, Austria.

WHEREAS, Assignor has applied to register the mark PERFORMANCE DRIVEN listed in the Schedule hereto (the "Mark").

WHEREAS, Assignor and Assignee have agreed to the transfer to Assignee of certain of Assignor's assets, including all right, title and interest in and to the Mark, the related ongoing and existing business, and the goodwill of the business connected with the use of and symbolized by the Mark effective as of the 2 day of December, 2003; and

WHEREAS, Assignor and Assignee wish to confirm and memorialize the assignment of the Mark for purposes of recording the assignment with the U.S. Patent and Trademark Office and perfecting the assignment;

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

Assignor hereby assigns and confirms the assignment from Assignor to Assignee of all right, title and interest in and to the Mark, including the U.S. application for registration listed in the Schedule hereto, and all renewals thereof, together with the goodwill of the business connected with the use of and symbolized by the Mark, the ongoing and existing business of the Assignor related to the Mark, and the right to sue and recover for past infringement of the Mark.

Porsche Design Management GmbH

Date: 02 December 2003

By: 

Name: Dr. Oliver Porsche

Title: CEO

TRADEMARK SCHEDULE

Trademark Name	Application Serial Number	Class
PERFORMANCE DRIVEN	78/104840	034