

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
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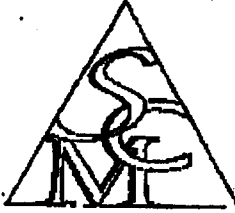
<b>SUBMISSION TYPE:</b>		NEW ASSIGNMENT	
<b>NATURE OF CONVEYANCE:</b>		ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL	
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
Spear Capital Management, Inc.		12/08/2006	CORPORATION: CONNECTICUT
<b>RECEIVING PARTY DATA</b>			
<b>Name:</b>	Seneca Capital Management LLC		
<b>Street Address:</b>	909 Montgomery Street, Suite 500		
<b>City:</b>	San Francisco		
<b>State/Country:</b>	CALIFORNIA		
<b>Postal Code:</b>	94133		
<b>Entity Type:</b>	LIMITED LIABILITY COMPANY: CALIFORNIA		
<b>PROPERTY NUMBERS Total: 2</b>			
<b>Property Type</b>	<b>Number</b>	<b>Word Mark</b>	
Registration Number:	2370812	SCM	
Registration Number:	2397440	SCM	
<b>CORRESPONDENCE DATA</b>			
<b>Fax Number:</b>	(949)451-4220		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
<b>Phone:</b>	949-451-3800		
<b>Email:</b>	dsegal@gibsondunn.com		
<b>Correspondent Name:</b>	David A. Segal		
<b>Address Line 1:</b>	4 Park Plaza, 15th Floor		
<b>Address Line 4:</b>	Irvine, CALIFORNIA 92614		
<b>ATTORNEY DOCKET NUMBER:</b>	89421-00005		
<b>NAME OF SUBMITTER:</b>	David A. Segal		
<b>Signature:</b>	/david a. segal/		
<b>Date:</b>	12/13/2006		

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Total Attachments: 1  
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**ASSIGNMENT OF TRADEMARKS**

WHEREAS, Spear Capital Management, Inc., a Connecticut corporation (hereinafter "Assignor"), is the owner of the following trademark registrations for the marks as set forth below:


Registration Number	Registration Date	Mark
2370812	July 25, 2000	SCM
2397440	October 24, 2000	

(hereinafter the "Marks" and the "Registrations"); and

WHEREAS, Seneca Capital Management LLC, a limited liability Company (hereinafter "Assignee"), desires to acquire any and all rights that Assignor has in and to the Marks and Registrations, together with the associated goodwill;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor does hereby assign unto Assignee all right, title and interest in and to the Marks and the Registrations, including without limitation all common-law rights, throughout the world, together with the associated goodwill.

Spear Capital Management, Inc.

By:   
 Name: Gregory A. Spear  
 Title: President  
 Date: 12/8/2006