### 96

## CH \$165.0

#### Electronic Version v1.1 Stylesheet Version v1.1

 SUBMISSION TYPE:
 NEW ASSIGNMENT

 NATURE OF CONVEYANCE:
 ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

#### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Dallas Smith Corp.		09/05/2008	CORPORATION:

#### **RECEIVING PARTY DATA**

Name:	Aloha, LLC
Street Address:	25 South Indiana Street
City:	Greencastle
State/Country:	INDIANA
Postal Code:	46135
Entity Type:	LIMITED LIABILITY COMPANY:

#### PROPERTY NUMBERS Total: 6

Property Type	Number	Word Mark
Registration Number:	1903496	AXLELESS
Registration Number:	2270372	DALLAS SMITH
Registration Number:	2961200	KNEE-ACTION
Registration Number:	3240343	EQUAL ACCESS LO-FLOOR VEHICLE
Registration Number:	3386479	THE FRIENDLY BUS
Serial Number:	78769055	THE BOSS VAN

#### **CORRESPONDENCE DATA**

Fax Number: (317)236-9907

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Phone: 3176358900

Email: ptodocket@binghammchale.com

Correspondent Name: John V. Daniluck, Bingham McHale LLP

Address Line 1: 10 West Market St., Suite 2700 Address Line 4: Indianapolis, INDIANA 46204

ATTORNEY DOCKET NUMBER: 18636-66790

TRADEMARK

900115531 REEL: 003848 FRAME: 0696

NAME OF SUBMITTER:	John V. Daniluck
Signature:	/John V. Daniluck/
Date:	09/08/2008
Total Attachments: 3 source=TrademarkAssignment#page1.tif source=TrademarkAssignment#page2.tif source=TrademarkAssignment#page3.tif	

TRADEMARK REEL: 003848 FRAME: 0697

#### TRADEMARK ASSIGNMENT

THIS TRADEMARK ASSIGNMENT ("Assignment"), effective this \( \frac{1}{5} \) day of September 2008, is made and entered into by and between DALLAS SMITH CORP., an Indiana corporation having an office and principal place of business at 25 South Indiana Street. Greencastle, Indiana 46135 ("Assignor"), and Aloha, LLC, an Indiana limited liability company, having an office and principal place of business at 8440 Woodfield Crossing, Suite 288, Indianapolis, Indiana 46240 ("Assignee").

WHEREAS, Assignor, has adopted, used, and is using exclusively in its business and is the owner of the trademarks, service marks, trade names, and the trademark registration(s) and application(s) therefor in the United States and all countries throughout the world, as well as all common law rights therein listed on <u>Schedule A</u> hereto ("Marks"):

WHEREAS, Assignee desires to acquire all right, title, and interest in and to the Marks.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby sells, assigns and transfers to Assignee, its successors and assigns, the entire right, title and interest, under state and federal statutes and at common law, in and to the Marks, together with the goodwill of the business symbolized by the Marks in the United States and throughout the world, together with all causes of action for any and all previously occurring infringements of the rights being assigned and the right to receive and retain all damages and/or profits for past, present or future infringement or other unauthorized use of the Marks, the intent hereof being to substitute the Assignee in the place of the Assignor.

Assignor agrees to execute further papers and to do such other acts as may be necessary and proper to vest full title in and to all Marks in the Assignce or which may be necessary to obtain, renew, issue or enforce all Marks.

> TRADEMARK REEL: 003848 FRAME: 0698

This Trademark Assignment may be executed in several counterparts, each of which shall be deemed to be an original, but all of which together will constitute one and the same instrument.

IN WITNESS WHEREOF, Assignee accepts this Assignment as delivered and effective as of this  $\frac{\pi}{2}$  day of  $\frac{\pi}{2}$  day of  $\frac{\pi}{2}$  2008.

"ASSIGNOR"
DALLAS SMITH CORP.

Judson Smith, Vice President

"ASSIGNEE" ALOHA, LLC

Judson Smith, Member

By:

Brad Smith, Member

# SCHEDULE A

Country	MARK	Serial No./ Filing Date	Registration Registration Date	Attorney Docket No.
Sn	AXLELESS	74/324,092 10/19/1992	1,903,496 07/04/1995	18636-66799
Sn	DALLAS SMITH and Design	71/411,436	2,270,372 08/17/1999	18636-66798
Sn	KNEE-ACTION	78/293,014 08/27/2003	2,961,200	18636-66793
Sn	EQUAL ACCESS LO-FLOOR VEHICLE and Design	78/349763 01/09/2004	3,240,343	18636-66794
Sn	THE FRIENDLY BUS	78/748,992 11/08/2005	<b>3386479</b> 02/19/2005	18636-66795
sn	THE BOSS VAN	78/769,055 12/08/2005		18636-86796
క	AXLELESS	1,342,694		18636-66791
CA	THE FRIENDLY BUS	1,340,657 03/23/2007		18636-66790

TRADEMARK REEL: 003848 FRAME: 0700

**RECORDED: 09/08/2008**