

RE 1/28/09

02-12-2009

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Stylesheet Version v1.1

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SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	to correct an error made in a previously recorded document that erroneously affects the identified application		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Tracker Marine, L.L.C.		01/28/2009	LIMITED LIABILITY COMPANY: MISSOURI
RECEIVING PARTY DATA			
Name:	Tracker Marine, L.L.C.		
Street Address:	2500 E. Kearney		
City:	Springfield		
State/Country:	MISSOURI		
Postal Code:	65809		
Entity Type:	LIMITED LIABILITY COMPANY: MISSOURI		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Serial Number:	76345340	AVALANCHE	
CORRESPONDENCE DATA			
Fax Number:	(816)983-8080		
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>			
Phone:	816-983-8000		
Email:	pto-ko@huschblackwell.com		
Correspondent Name:	William B. Kircher		
Address Line 1:	4801 Main Street		
Address Line 2:	Suite 1000		
Address Line 4:	Kansas City, MISSOURI 64112		
ATTORNEY DOCKET NUMBER:	55598.94842		
NAME OF SUBMITTER:	Aimee Hilton		
Signature:	/Aimee Hilton/		

CH \$40.00 76345340

Date:

01/26/2009

Total Attachments: 2

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DECLARATION

I, Maurice Bowen, declare that:

1. I am Vice President - Marketing of Tracker Marine, L.L.C. I make this declaration in support of our Request to Correct the Owner of Application Serial No. 76/345,340 as Recorded with the Assignment Service Branch of the U.S. Patent and Trademark Office.
2. Tracker Marine, L.L.C., the true owner of Application Serial No. 76/345,340, has discovered, as a result of an office action issued by the Examining Attorney of Application Serial No. 76/345,340, that Bank of America, N.A. improperly recorded an assignment and name change against its application.
3. Tracker Marine, L.L.C.'s representatives contacted Bank of America, N.A. and asked them to record corrective papers. To date, the corrective papers have still not properly changed ownership of the application back to Tracker Marine, L.L.C. Therefore, the true owner, Tracker Marine, L.L.C., is recording this declaration with the Assignment Services Branch to correct the error.
4. To the best of our knowledge, following is our understanding of the chain of events that leads to the misidentified owner of the application:

Bank of America, N.A. filed a Security Agreement which is recorded at reel/frame 3267/0043. However, Bank of America, N.A., in an attempt to update a certain assignor name in the recorded Security Agreement to read: "BASS PRO INTELLECTUAL PROPERTY, L.L.C Formerly: FORMERLY BASS PRO TRADEMARKS, L.L.C.", filed a subsequent corrective assignment which was recorded at reel/frame 3747/0001. However, because of the language Bank of America, N.A. listed in the conveyance portion of the cover sheet, namely, "*Corrective Assignment to Correct the Nature of Conveyance, Assignee, and Assignor Previously Recorded. The Assignor Hereby Confirms The Amended Articles of Organization*", the Assignment Division

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recorded that as a true assignment which put the application in the name of Bank of America, N.A. At the request of representatives of Tracker Marine, L.L.C., Bank of America contacted the Assignment Division in an attempt to correct the erroneous filing over the telephone. The resulting conveyance type now appears as "Change of Name." Unfortunately, this attempt to correct the owner information has failed and the application still erroneously remains in the name of Bank of America, N.A., when in fact this should appear as a Security Agreement only.

5. The owner, Tracker Marine, L.L.C., has to the best of its knowledge provided a summary of events leading to the misidentified owner. The application identified should not be considered altered by the incorrect assignment and name change. Further, Tracker Marine, L.L.C. has been and continues to be the true owner of the application at issue.

I declare under penalty of perjury that to the best of my knowledge the foregoing is true and correct.


Maurice Bowen

Dated this 28th day of January, 2009.

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SANDERS

HUSCH BLACKWELL SANDERS

FEB. 11. 2009 2:54PM

TRADEMARK

RECORDED: 01/28/2009

REEL: 003940 FRAME: 0888