

08-21-1998

8366 B



08-05-1998



Tab settings

To the Honorable Com.

100797701

Documents or copy thereof.

1. Name of conveying party(ies):

Ultimate Creations, Inc. (Arizona corp.)
8711 East Pinnacle Peak Road - #185
Scottsdale, AZ 85255

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

Additional name(s) of conveying party(ies) attached? Yes No

2. Name and address of receiving party(ies):

Name: Ultimate Creations, Inc.

Internal Address: 8711 East Pinnacle Peak Road #185

Street Address: 8711 East Pinnacle Peak Road #185

City: Scottsdale State: AZ ZIP: 85255

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

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)

Additional name(s) & address(es) attached? Yes No

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other CLARIFICATION OF TITLE
- Merger
- Change of Name

Execution Date: JULY 20, 1998

4. Application number(s) or registration number(s):

A. Trademark Application No.(s)

B. Trademark registration No.(s)

Reg 1 625 919 issued 04 Dec 90

Additional numbers attached? Yes No

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

Name: CHARLES E. BAXLEY, ESQUIRE

Internal Address: 59 JOHN ST - 5 FL
NEW YORK, NY 10038

Street Address: 59 JOHN ST - 5 FL

City: NEW YORK State: NY ZIP: 10038

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41):..... \$ 40.00

- Enclosed
- Authorized to be charged to deposit account

Only for any deficiency or overpayment

8. Deposit account number:

02-1435

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

08/18/1998 DMGUYEN 00000190 1625919

01 FC:481 40.00 DP

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.

CHARLES E. BAXLEY
Name of Person Signing

Signature

AUGUST 3, 1998
Date

Total number of pages comprising cover sheet: 1

TRADEMARK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

-----X
Proprietor : Ultimate Creations, Inc. :
Registration No. : 1 625 919 :
Registration Date : December 4, 1990 :
TM & SM : ULTIMATE WARRIOR :
International Classes : 16, 20, 24, 25 & 41 :
Prior US Classes : 38, 39, 42, 50 & 107 :
-----X

ATT AFFIDAVIT/RENEWAL SECTION
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Dear Sir:

**CLARIFICATION OF
COMBINED DECLARATION UNDER SECTIONS 8 AND 15
OF THE TRADEMARK ACT OF 1946**

In a Combined Declaration Under Sections 8 and 15 of the Trademark Act of 1946 forwarded to the United States Patent and Trademark Office on June 18, 1998 (hereinafter referred to as the "Declaration") in connection with the above referenced combined Trademark and Service Mark Registration, clarification of ownership between TITAN SPORTS, INC., a Delaware corporation having its principal place of business in Stamford, Connecticut and ULTIMATE CREATIONS, INC. an Arizona corporation having its principal place of business in Scottsdale, Arizona needs to be set forth.

In the Declaration I had stated that Declarant WARRIOR on behalf of Ultimate Creations, Inc. (Assignee and Owner) "owns said combined Trademark and Service Mark and said Registration 1 625 919 pertaining thereto and all goodwill associated therewith by virtue of an Assignment executed on May 16, 1996 by the former Registrant, Titan Sports, Inc. . . .". Actually the former Registrant, Titan Sports, Inc. had been a licensee of the mark and had nevertheless assigned to Ultimate Creations, Inc. all of Titan's right, title and interest (if any) in the United States and foreign Trademark and Service Mark and said Registration 1 625 919 to Ultimate Creations, Inc..

The misstatement was made due to misinformation and no deception was intended. The purpose of this Clarification is to set the record straight.

I further declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this Declaration or the Registration relating thereto.

A check in the amount of ONE THOUSAND DOLLARS (\$1,000.00) to cover the Filing Fee in five (5) Classes was previously submitted with a Combined Declaration Under Sections 8 and 15 to USPTO on 22 Nov 1996. Accordingly the Commissioner is

authorized to charge any deficiency or to credit any overpayment to Deposit Account 02-1435.

IN WITNESS WHEREOF, Ultimate Creations, Inc. has caused this instrument to be executed on this 20th day of July, 1998 by a duly authorized officer.

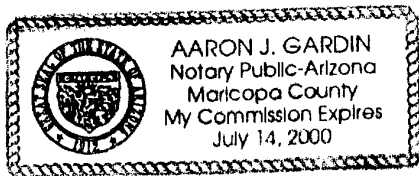
ULTIMATE CREATIONS, INC.
Assignee & Owner

By: [Signature]
Name: WARRIOR (formerly known as James B. Helwig)
Title: President

Post Office Address of Assignee & Owner: 8711 East Pinnacle Peak Road - #185
Scottsdale, AZ 85255

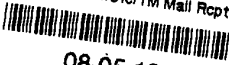
STATE OF ARIZONA)
) ss.:
COUNTY OF MARICOPA)

On this 20 day of July, 1998, before me, a Notary Public, personally appeared WARRIOR (f/k/a James B. Hellwig), known by me and known to me to be the person mentioned in and who executed the foregoing Clarification, and he duly acknowledged to me that he executed the same for the purposes therein set forth.



(SEAL)

[Signature]
Notary Public



08-05-1998

THE UNITED STATES PATENT & TRADEMARK OFFICE

Proprietor: Ultimate Creations, Inc.
Registration: 1 625 919
Issued: December 4, 1990
For TM&SM: **ULTIMATE WARRIOR**

Docket Number: 8366 B
Classes: 16,20,24,25 & 41

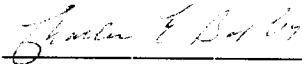
Transmitted herewith is/are the following:

- x Form PTO-1594 - RECORDATION FORM COVER SHEET (TRADEMARKS)
- x CLARIFICATION OF COMBINED DECLARATION UNDER SECTIONS 8 AND 15 OF THE TRADEMARK ACT OF 1946
- x Other Acknowledgment Postcard

- x The Commissioner is authorized to charge any additional fees required, or to credit any overpayment to Account No. 02-1435. A duplicate copy of this sheet is enclosed.
- x A check in the amount of \$ 40.00 is enclosed.
- x I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: BOX ASSIGNMENTS, FEE - Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on August 3, 1998.

Respectfully submitted,

Dated: August 3, 1998
CHARLES E. BAXLEY, ESQUIRE
Hart, Baxley, Daniels & Holton
59 John Street, Fifth Floor
New York, New York 10038



CHARLES E. BAXLEY
Attorney of Record
USPTO REG. 20,149

Tel: (212) 791-7200
Fax: (212) 791-7276

CEB:lsh/Warrior-NB

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Proprietor: Ultimate Creations, Inc.
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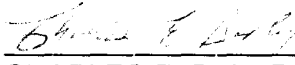
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Attorney of Record
USPTO REG. 20,149

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