

10-15-1999

SHEET
NLY

Docket No.:
TM3085



Tab settings → → → ▼

To the Honorable Commissioner c

101172413

1 the attached original documents or copy thereof.

1. Name of conveying party(ies):

DAVID SOMMERHAUSER;
LOW ROLLER, INC.

WRD 10.12.99

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

Additional names(s) of conveying party(ies) Yes No

3. Nature of conveyance:

- Assignment Merger
- Security Agreement Change of Name
- Other _____

Execution Date: OCTOBER 1, 1999

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

Name: KELLY PIONEER GROUP, INC.

Internal Address: _____

Street Address: 1270 AVENUE OF THE AMERICAS

City: NEW YORK State: NY ZIP: 10020

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

If assignee is not domiciled in the United States, a domestic designation is Yes N
(Designations must be a separate document from Additional name(s) & address(es) Yes N

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

1,757,025

Additional numbers

Yes No

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

Name: MICHAEL A. CATANIA

Internal Address: CALLAWAY GOLF COMPANY

Street Address: 2285 RUTHERFORD ROAD

City: CARLSBAD State: CA ZIP: 92008

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

8. Deposit account number:

500303

DO NOT USE THIS SPACE

10/14/1999 MTHAI1 00000301 500303 1757025

01 FC:481 40.00 CH

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.

MICHAEL A. CATANIA

OCTOBER 7, 1999

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and

3

ASSIGNMENT

WHEREAS, **David Sommerhauser**, an individual, and **Low Roller, Inc.**, a Missouri corporation, both having a principal place of business at #3 Toussaint Drive, O'Fallon, Missouri 63366 (collectively, "**Assignor**"), have adopted and used the mark "WHITE-HOT" (the "**Mark**") (as used herein, the term "**Mark**" shall include variations thereof, including "WHITE HOT" with no hyphen);

WHEREAS, Assignor registered the Mark in the United States Patent and Trademark Office, Trademark Registration No. 1,757,025, dated March 9, 1993 (the "**Registration**"), but subsequently abandoned the Registration;

WHEREAS, by virtue of such adoption, use and/or registration, Assignor has proprietary rights to the Mark, including, without limitation, common law rights to the Mark, and any and all rights associated with the Registration, and any and all rights to sue and collect damages for infringement of the Mark, whether arising before or after execution and delivery of this Assignment (collectively, the "**Rights**");

WHEREAS, **Kelly Pioneer Group, Inc.**, a Delaware corporation, having a principal place of business at 1270 Avenue of the Americas, New York, New York 10020 ("**Assignee**"), wishes to acquire all of Assignor's right, title and interest in and to the Mark, the Registration, and the Rights;

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged:

1. Assignor hereby assigns to Assignee all of Assignor's right, title and interest in and to the Mark, the Registration, and the Rights, together with the goodwill of the business symbolized thereby; and

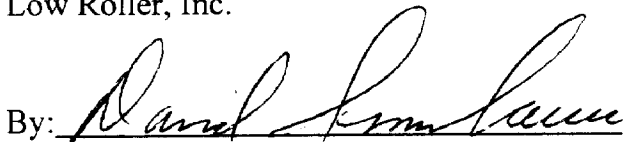
2. Assignor agrees to immediately cease all use, and refrain from any and all further use, of the Mark.



David Sommerhauser, an individual

Date: 10-1-99

Low Roller, Inc.

By: 

Name: David Sommerhauser

Title: Pres.

Date: 10-1-99

ALL-PURPOSE ACKNOWLEDGMENT

State of MO

County of St. Charles

On Oct 1, 1999, before me, Kimberly Prather the undersigned Notary Public, personally appeared D. Sommerhäuser, personally known to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Kimberly Prather L.S.

Notary Public

KIMBERLY PRATHER
Notary Public - Notary Seal
STATE OF MISSOURI
St. Charles County
My Commission Expires: Nov. 13, 1999

(Notary seal)