

06-20-2001



FORM PTO-1594

RECC

U.S. DEPARTMENT OF COMMERCE

1-31-92

TR

101754681

Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original document or certified copy thereof.

1. Name of conveying Party:

INTERNATIONAL MUSIC PRODUCTS, INC.

- Individual(s)
- General Partnership
- Corporation **California**
- Other
- Association
- Limited Partnership

Additional name(s) of conveying party(ies) attached?

- Yes
- No



2. Name and Address of receiving Party:

Name: MIRAPHONE E.G.

Internal Address:

Address: 84478 Waldkraiburg, Traunreuterstrasse 8 Germany

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation **German**
- 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 Declaration to correct assignment recorded at Reel 0805, Frames 599- 600.
- Merger
- Change of Name

Execution Date:

Assignment: April 30, 1991

Attached Declaration correcting Assignment: May, 2001

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

1,133,089

Handwritten: UNO 6/14/01

Additional sheet attached? Yes No

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

Harvey B. Jacobson, Jr.
Jacobson Holman PLLC
400 7th Street, N.W.
Washington, DC 20004
Tel. 202-638-6666

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 No.: 06-1358

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

Attorney Docket No. 347/T 13848

DO NOT USE THIS SPACE

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.

Harvey B. Jacobson, Jr.

Name of Person Signing

Handwritten signature: Harvey B. Jacobson, Jr. / Matthew

Signature

June 13, 2001

Date

Total number of pages including cover sheet, attachments, and document: 8

06/19/2001 TPIAZ1 00000139 1133089

JPH&S 341-8/92

01 FC:481

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TRADEMARK REEL: 002316 FRAME: 0300

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :
 :
 MIRAPHONE E.G. :
 :
 Registration No. 1,133,089 :
 : Assignment Division
 Registered April 15, 1980 :
 :
 Mark: MIRAFONE (Stylized & Design) :
 :

***DECLARATION OF MIRAPHONE E.G.
 TO CORRECT TRADEMARK ASSIGNMENT***

The Honorable Commissioner for Trademarks
 United States Patent and Trademark Office
 2900 Crystal Drive
 Arlington, Virginia 22202-3513

Sir:

The undersigned, Rudolf Schott, hereby declares the following:

1. I am the Managing Director of MIRAPHONE, E.G., a corporation of Germany.
2. MIRAPHONE, E.G. is the owner of the above referenced trademark and U.S. registration no. 1,133,089, by way of assignment.
3. MIRAPHONE, E.G. entered into a Trademark Assignment with International Music Products, Inc. on April 30, 1991, a copy of which is attached hereto as Exhibit A.
4. This assignment was recorded in the Assignment Division of the United States Patent and Trademark Office at Reel 805/Frames 598 - 600. See Exhibit A.
5. The Trademark Assignment erroneously identified the assignee as MIRAPHONE E.G. WALDKRAIBURG. This identification is incorrect since "WALDKRAIBURG" is the city in which

MIRAPHONE, E.G. is located. The word "WALDKRAIBURG" is not a part of the assignee's name nor was it at the time of the assignment. The Trademark Assignment should have identified the assignee as MIRAPHONE, E.G.

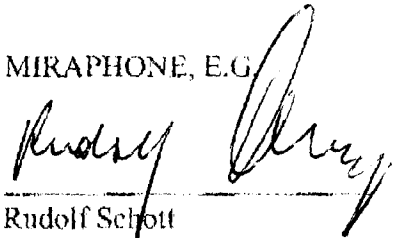
6. Attached hereto as Exhibit B is a corporate document which accurately identifies the name of the registrant, as reflected in German public records.

7. This Declaration is being filed with the Assignment Office to seek the correction of the assignee's identification. Please identify the assignee of the above referenced trademark registration as MIRAPHONE, E.G.

All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; further these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code.

Date

MIRAPHONE, E.G.


Rudolf Schott
Managing Director



ALL STATE LEGAL 800/295-5111 EDS** RECYCLED

TRADEMARK
REEL: 002316 FRAME: 0303

TRADEMARK ASSIGNMENT

THIS ASSIGNMENT is made this date between INTERNATIONAL MUSIC PRODUCTS INC., a California corporation, whose principal place of business is Suite J, 25570 Rye Canyon Road, Valencia, California 91355 (hereinafter referred to as "Assignor"), and MIRAPHONE e.G. WALDKRAIBURG, a corporation of the Federal Republic of Germany, whose principal place of business is 8264 Waldkraiburg, Germany (hereinafter referred to as "Assignee").

WHEREAS, Assignor is the owner of the trademark MIRAPHONE & DESIGN, and the United States trademark registration therefor, No. 1,133,089, issued April 15, 1980 (hereinafter referred to as "THE ASSIGNED TRADEMARK"); and

WHEREAS, Assignee is desirous of acquiring the entire right, title and interest in and to the ASSIGNED TRADEMARK, together with the goodwill of the business pertaining thereto.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, said INTERNATIONAL MUSIC PRODUCTS INC. does hereby sell, assign, set over and transfer to said MIRAPHONE e.G. WALDKRAIBURG, the entire right, title and interest in and to the ASSIGNED TRADEMARK, together with the whole of the goodwill of the business pertaining thereto, the same and the rights of Assignor to be held and enjoyed by Assignee for its own use and enjoyment, and for the use and enjoyment of its successors, assigns or other legal representatives, at common law and/or to the end of the term or

TRADE-MARK

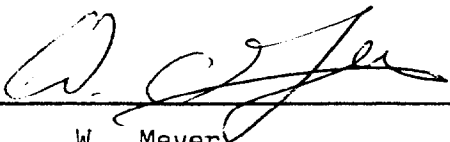
terms for which registration of the ASSIGNED TRADEMARK may be granted, or renewed, as fully and entirely as the same would have been held and enjoyed by Assignor if this Assignment and sale had not been made; together with all claims for damages by reason of past infringement of the ASSIGNED TRADEMARK, with the right to sue for and collect the same for its own use and benefit, and for the use and on behalf of its successors, assigns or other legal representatives.

AND, Assignor agrees, at the request of Assignee, to execute any further papers necessary to effect transfer of the ASSIGNED TRADEMARK, including securing the execution of a formal Trademark Assignment of the ASSIGNED TRADEMARK as may be required for recordation in a form substantially as set forth herein; and to secure the Assignee in its full and complete enjoyment of its right to the ASSIGNED TRADEMARK.

IN TESTIMONY WHEREOF, Assignor has caused its name to be signed, and its seal to be affixed, by its duly authorized officer, this 30 day of April, 1991.

TRADE-MARK

INTERNATIONAL MUSIC PRODUCTS INC.

By: 
W. Meyer
Title: President

[SEAL]

International
Music Products Inc.

RECORDED
PATENT AND TRADEMARK
OFFICE

AUG - 9 1991

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TRADEMARK
REEL: 002316 FRAME: 0305

04-17-2000

U.S. Patent & TMOc/TM Mail Rcpt. Dt. #40

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Trademarks

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Registration of:

MIRAPHONE EG

Registration No.: 1,133,089

Registered: April 15, 1980

Mark: MIRA FONE & DESIGN

COMBINED DECLARATION OF USE IN COMMERCE/APPLICATION
FOR RENEWAL

AJ
MIRAPHONE EG is a corporation duly organized and existing under the Laws of Germany, located and doing business at 84478 Waldkraiburg, Traunreuterstrasse 8 Germany.

The owner is using the above-identified mark in commerce on or in connection with all of the goods listed in the registration except SAXOPHONES, CLARINETS,

Deleted Hoods
BASSOONS, FLUTES, OBOES, DRUMS and PERCUSSIONINSTRUMENTS.

The owner is using the mark in commerce on or in connection with the goods identified above as evidenced by attached specimen showing the mark as currently used in commerce.

The owner requests that the registration be renewed for the goods identified in the registration, **except as indicated above.**

DR
The law firm of JACOBSON, PRICE, HOLMAN & STERN, PLLC., whose postal address is 400 Seventh Street, N.W., Washington, D.C. 20004-2201, is hereby designated Applicant's Domestic Representative upon whom notices or process in proceedings affecting the mark may be served..

05/18/2000 L NICKELS 00000032 1133089

01 FC:365
02 FC:372

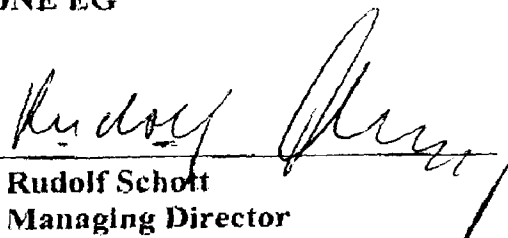
400.00 DP
100.00 DP

TRADEMARK
REEL: 002316 FRAME: 0306

Please recognize HARVEY B. JACOBSON, JR., D. DOUGLAS PRICE, JOHN CLARKE HOLMAN, MARVIN R. STERN, SIMOR L. MOSKOWITZ, ALLEN S. MELSER, MICHAEL R. SLOBASKY, MARSHA G. GENTNER, JONATHAN L. SCHERER, IRWIN M. AISENBERG, GEORGE W. LEWIS, WILLIAM E. PLAYER, YOON S. HAM, BRIAN B. DARVILLE, NATHANIEL A. HUMPHRIES and MATTHEW J. CUCCIAS, as the attorneys representing the above-identified Applicant in all matters associated with the above-identified registration. Address all correspondence relative thereto to the law firm of JACOBSON, PRICE, HOLMAN & STERN, PLLC., The Jenifer Building, 400 Seventh Street, N.W., Washington, D.C. 20004, or Customer No. 00136.

The undersigned, being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he is properly authorized to execute this document on behalf of the Owner; and all statements made of his own knowledge are true and that all statements made on information and belief are believed to be true.

MIRAPHONE EG

By: 
 Rudolf Schott
 Managing Director

Date: 10.4., 2000

Attorney Docket No.: T13848