

01-08-2004

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J.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

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

1. Name of conveying party(ies): 1-B.04 Magnum Sales and Distribution, Inc. 13913 Magnolia Avenue Chino, CA 91710

2. Name and address of receiving party(ies) Name: Private Capital Management, Inc. Internal Address: Street Address: 3 Pointe Drive, Suite 117 City: Brea State: CA Zip: 92821

3. Nature of conveyance: [X] Assignment [ ] Merger [ ] Security Agreement [ ] Change of Name [ ] Other Execution Date: 12/30/2003

4. Application number(s) or registration number(s): A. Trademark Application No.(s) B. Trademark Registration No.(s) 2, 519, 768

5. Name and address of party to whom correspondence concerning document should be mailed: Name: Law Office of F. Elliot Goldman Internal Address: Attn: F. Elliot Goldman Street Address: 420 South Brea Boulevard City: Brea State: CA Zip: 92821

6. Total number of applications and registrations involved: 1 7. Total fee (37 CFR 3.41): \$ 40.00 [X] Enclosed [ ] Authorized to be charged to deposit account 8. Deposit account number:

DO NOT USE THIS SPACE

9. 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. F. ELLIOT GOLDMAN Name of Person Signing Signature Date December 30, 2003

Total number of pages including cover sheet, attachments, and document: 2

01/07/2004 LMJELLER 00000126 2519768 01 FC:8521 40.00/09

Mail documents to be recorded with required cover sheet information to: Commissioner of Patent & Trademarks, Box Assignments Washington, D.C. 20231

TRADEMARK REEL: 002893 FRAME: 0197

ASSIGNMENT OF TRADEMARK

Whereas MAGNUM SALES AND DISTRIBUTION, INC., a California Corporation, formerly known as Magnum Sports, Incorporated, in business at 13913 Magnolia Avenue, in the City of Chino, County of San Bernardino, State of California, has adopted, owns, and is using the following trademark, J.J. BETR CO., U.S. Registration No. 2, 519, 268 (hereinafter the "mark") for the following goods, stuffed toys, stuffed animals and plush toys in international class 28; and,

Whereas PRIVATE CAPITAL MANAGEMENT, INC., a California Corporation, in business at 3 Pointe Drive, Suite 117, in the City of Brea, County of Orange, State of California is desirous of acquiring said Mark;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, said MAGNUM SALES AND DISTRIBUTION, INC., a California Corporation, as Assignor, does hereby assign onto the said PRIVATE CAPITAL MANAGEMENT, INC., a California Corporation, all rights, title and interest in and to the said Mark, together with the good will of the business symbolized by the Mark.

IN TESTIMONY WHEREOF, MAGNUM SALES AND DISTRIBUTION, INC., a California Corporation, has caused this document to be duly and legally executed on the 30<sup>th</sup> day of December, 2003.

MAGNUM SALES AND DISTRIBUTION, INC.  
A California Corporation

By: *Daniel W. Heath*  
DANIEL W. HEATH, Chief Executive Officer

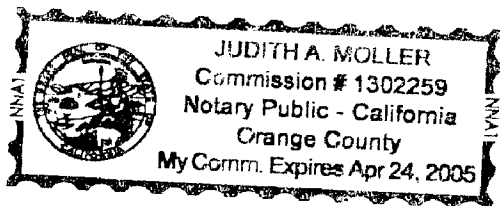
State of California

County of Orange

}  
} ss.  
}

On December 30, 2003, before me, Judith A. Moller, Notary Public, personally appeared DANIEL W. HEATH,

personally known to me  
 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.

*Judith A. Moller*