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Form PTO-1594 (Rev. 10/02) OMB No. 0651-0027 (exp. 6/30/2005) Tab settings



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U.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):

The Paul Green Foundation, Inc.

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

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

3. Nature of conveyance:

- Assignment Merger Security Agreement Change of Name Other

Execution Date: January 5, 2004

2. Name and address of receiving party(ies)

Name: Texas Panhandle Heritage Foundation, Inc. Internal Address: 1514 5th Avenue

Street Address: City: Canyon State: Texas Zip: 79015

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

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

A. Trademark Application No(s) 76/478,971

B. Trademark Registration No(s)

Additional number(s) attached Yes No

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

Name: Akin Gump Strauss Hauer & Feld

Internal Address: P.O. Box 12870

ATTN: Kirt S. O'Neill

Street Address:

City: San Antonio State: Texas Zip: 78212

6. Total number of applications and registrations involved:

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

- Enclosed Authorized to be charged to deposit account

8. Deposit account number:

01-0477

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

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.

Kirt S. O'Neill Name of Person Signing

Kirt S. O'Neill Signature

Jan. 26, 2004 Date

Total number of pages including cover sheet, attachments, and document: 3

01/30/2004 LMUELLER 00000068 76478971

Mail documents to be recorded with required cover sheet information to:

01 FC:8521

40.00

Mail Stop Assignment Recordation Services Director of the United States Patent and Trademark Office P.O. Box 1450, Alexandria, VA 22313-1450

TRADEMARK REEL: 002906 FRAME: 0156

SERVICE MARK ASSIGNMENT

WHEREAS, The Paul Green Foundation, Inc., a non-profit corporation organized and existing under the laws of the State of North Carolina, and having its principal place of business at 523 East Franklin Street, Chapel Hill, North Carolina 27514, hereinafter referred to as Assignor; and

WHEREAS, said Assignor is the owner of U.S. Service Mark Application No. 76/478,971 filed December 23, 2002, for the mark TEXAS used for entertainment services, namely production of professional performances of plays (hereinafter "Mark"); and

WHEREAS, Texas Panhandle Heritage Foundation, Inc., a non-profit corporation organized under the laws of the State of Texas, whose address is 1514 5th Avenue, Canyon, Texas 79015, hereinafter referred to as Assignee, is desirous of acquiring said Mark, together with the goodwill of the business symbolized by said Mark, and any and all registrations and applications for registration of said Mark, including, but not limited to, any other applications or registrations associated with the "Texas" production;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN, be it known that for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, Assignor hereby sells, transfers, conveys, and assigns unto said Assignee the entire right, title, and interest of Assignor in and to said Mark; all registrations and applications for registration of said Mark owned by Assignor, including those specifically herein before identified, and the goodwill of the business in connection with which said Mark is used and which is symbolized by said Mark.

ASSIGNOR HEREBY covenants and represents that ASSIGNOR has not executed, and will not execute, any agreement in conflict herewith.

ASSIGNOR HEREBY further covenants and agrees that ASSIGNOR will, at the request of ASSIGNEE, communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to ASSIGNOR respecting said Mark, and testify in any legal proceeding, sign all lawful papers, execute all applications for registration, make all rightful oaths, and generally do everything reasonably possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said

Mark in all countries, upon the request of ASSIGNEE and at the sole and total expense of ASSIGNEE.

THE PAUL GREEN FOUNDATION, INC.

By: Laurence G. Avery
Name: Laurence G. Avery
Title: President

STATE OF NORTH CAROLINA §
COUNTY OF Durham §

Before me, the undersigned authority, on this day personally appeared Laurence G. Avery known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

Given under my hand and seal of office on this 5th day of ~~December~~ ^{January} 2004, 2003.

My commission expires: 7-4-2005

Dorothy Park
Notary Public in and for the
State of North Carolina

