

06-18-2007



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Atty Dkt. No. 130702/3/5 PUBLIC RECORDS

2007 JUN 15 AM 10:23

FINANCE SECTION

TO: ATTN: MAIL STOP ASSIGNMENTS/FEE  
Director of Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

Please record the attached original document(s) or copy(ies) thereof.

SUBMISSION TYPE:

- New
- Resubmission (Non-Recordation) - Document ID \_\_\_\_\_
- Correction of PTO Error: Reel \_\_\_/Frame \_\_\_
- Corrective Document: Reel \_\_\_/Frame \_\_\_

CONVEYANCE TYPE:

- Assignment
  - License
  - Security Agreement
  - Merger
  - Nunc Pro Tunc Assignment
  - Change of Name
  - Other: \_\_\_\_\_
- Execution Date: June 11, 2007

2 Total number of pages of attached conveyance document including any attachments.

CONVEYING PARTY(IES):

Name: INTCO-DOMINION PARTNERSHIP  
Formerly:  
Address: 1 Dominion Drive, San Antonio, TX 78257

- Individual  
Citizenship: \_\_\_\_\_
- Association
- General Partnership - Texas
- Limited Partnership
- Corporation - State: \_\_\_
- Other: \_\_\_

Address:

ADDITIONAL NAME(S) OF CONVEYING PARTIES ATTACHED?

- YES
- NO

RECEIVING PARTY(IES):

Name: The Dominion Acquisition Group, L.P.  
DBA/AKA/TA:  
Address: 4207 River Place Blvd., Austin, Tx 78730

- Individual  
Citizenship: \_\_\_\_\_
- Association
- General Partnership
- Limited Partnership - Texas
- Corporation - State: \_\_\_
- Other: \_\_\_

If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)  Yes  No

ADDITIONAL NAME(S) OF RECEIVING PARTIES ATTACHED?

- YES
- NO

DOMESTIC REPRESENTATIVE:

Name:  
Address:

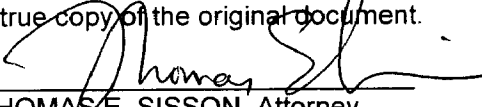
CORRESPONDENT:

Name: Thomas E. Sisson  
Address: Jackson Walker, LLP  
112 E. Pecan, Suite 2400  
San Antonio, TX 78205  
Telephone: 210-978-7700

Email: [tsissonipdocket@jw.com](mailto:tsissonipdocket@jw.com)

06/15/2007 NJRRH1 00000109 140531  
40.00 DP  
30.00 DP  
01 FC 18521  
02 FC 18522

6.15.07

<b>APPLICATION NUMBER(S) OR PATENT NUMBER(S):</b>	
A. Trademark Application No.(s): App. No. ___ filed ___ for "___"  Additional numbers attached? <input type="checkbox"/> Yes <input type="checkbox"/> No	B. Trademark Registration No.(s): Reg. No. 1,405,311 issued August 12, 1986 for "THE DOMINION COUNTRY CLUB" Reg. No. 1,421,175 issued December 16, 1986 for "THE DOMINION & Design" Reg. No. 1,430,402 issued February 24, 1987 for "Stylized D"  Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>STATEMENT AND SIGNATURE:</b>  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.   THOMAS E. SISSON, Attorney  DATE <u>6/12/07</u>	<b>TOTAL NUMBER OF PROPERTIES (APPLICATIONS  AND REGISTRATIONS) INVOLVED:</b> <u>3</u> (\$40.00 first/\$25.00 each add'l)  <b>TOTAL FEE (37 CFR 3.41):</b> \$90.00 <input checked="" type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to Charge underpayment to Account No. 07-2400 or credit overpayment  <b>DEPOSIT ACCOUNT NUMBER 07-2400.</b> (Attach duplicate copy of this form if paying by deposit account.)

**CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an envelope addressed to "Mail Stop Assignment Recordation Services, Assistant Commissioner for Patents and Trademarks, P.O. Box 1450, Alexandria, Virginia 22313-1450", as follows:

<u>37 CFR 1.8(a)</u>	<u>37 CFR 1.10</u>
<input checked="" type="checkbox"/> With sufficient postage as First Class Mail.  Date: <u>6-13</u> , 2007	<input type="checkbox"/> As "Express Mail Post Office to Addressee", Mailing Label No. _____  Date: _____, 20__

Carolyn J. Gill  
Printed Name of Person Mailing Paper or Fee

  
Signature of Person Mailing Paper or Fee

**ASSIGNMENT NUNC PRO TUNC**

WHEREAS, the Parties wish to provide a document recordable with the appropriate governmental entities and wish to confirm the assignment and licensing of certain intangible assets;

WHEREAS, INTCO-DOMINION PARTNERSHIP ("ASSIGNOR"), is the current owner of record of the following marks:

MARK	REGISTRATION NO.	ISSUED	GOODS/SERVICES
DOMINION (Texas State)	4609117 (Texas)	3/24/1986	Country Club Services
THE DOMINION & Design (Texas State)	4610317 (Texas)	3/25/1986	Clothing
THE DOMINION COUNTRY CLUB	1,405,311 (US)	8/12/1986	Country Club Services
THE DOMINION & Design	1,421,175 (US)	12/16/1986	Clothing
Stylized D	1,430,402 (US)	2/24/1987	Golf Balls

WHEREAS, all right and title of ASSIGNOR to the above marks and goodwill of the business associated with the above-listed marks and associated registrations, were transferred, assigned, and set over to THE DOMINION ACQUISITION GROUP, L.P. (ASSIGNEE) by INTCO DOMINION PARTNERSHIP, effective May 19, 2006.

NOW, THEREFORE, effective May 19, 2006, said ASSIGNOR sells, assigns, transfers, and sets over, unto THE DOMINION ACQUISITION GROUP, L.P., a Texas limited partnership, having a place of business at 4207 River Place Boulevard, Austin, Texas 78730 (ASSIGNEE), its successors, legal representatives and assigns, the entire right, title and interest in, to and under said marks, and said state and federal registration and all renewals; all causes of action (either in law or in equity) and the right to sue, counterclaim and recover for past, present and future infringement and/or dilution of the marks and the rights thereto that may have heretofore accrued in ASSIGNOR'S favor; and any and all goodwill of the business symbolized by the marks.

And ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks of the United States, and any Official of any State or country or countries foreign to the United States, whose duty it is to issue trademarks or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

Further, the Parties confirm that ASSIGNEE hereby grants to ASSIGNOR (and its successors, assigns and affiliates) a royalty-free, nonexclusive, worldwide license, for so long as ASSIGNOR maintains the quality of the services it renders with the marks at least equal to the quality of its services to-date, to use all now existing and all future existing trademarks, tradenames, service marks and logos relating to The Dominion Country Club, including, but not limited to, those ASSIGNEE has been assigned above, in connection with any and all activities of ASSIGNOR or ASSIGNOR'S affiliates relating to The Dominion Planned Unit Development in Bexar County, Texas.

Executed this 11 day of June, 2007.

ASSIGNOR:  
INTCO-DOMINION PARTNERSHIP,  
a Texas general partnership

By: INTCO PROPERTIES III L.P.,  
a Texas limited partnership, as managing general partner

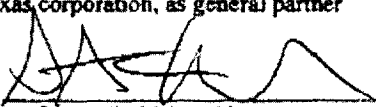
By: INTCO PROPERTIES G.P. III, INC.,  
a Texas corporation, as general partner

Date: June 11, 2007

By:   
Larry W. Slayter, Vice President

ASSIGNEE:  
THE DOMINION ACQUISITION GROUP, L.P.,  
a Texas limited partnership

By: THE DOMINION ACQUISITION GROUP GP, INC.,  
a Texas corporation, as general partner

By:   
Steven Held, President

STATE OF TEXAS §  
COUNTY OF Bexar §

BEFORE ME, the undersigned authority, on this day personally appeared LARRY W. SLAYTER, who is personally known to me, or who has provided evidence to me through a witness, an identification card, or other document identifying the individual as being the person whose name is subscribed to the foregoing instrument, and being by me duly sworn, deposes and acknowledges to me that said individual has read the foregoing and executed this document with proper authority and in the capacity stated as the act of the company for the purposes and consideration therein expressed.

SWORN AND SUBSCRIBED before me, this the 11 day of June, 2007, to certify which witness my hand and seal of office.

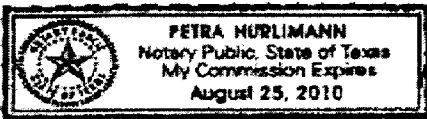


Laura A. Syphers  
Notary Public, State of Texas  
Laura A. Syphers  
Printed Name of Notary  
Commission Expires 4/7/2010

STATE OF TEXAS §  
COUNTY OF Texas §

BEFORE ME, the undersigned authority, on this day personally appeared STEVEN HELD, who is personally known to me, or who has provided evidence to me through a witness, an identification card, or other document identifying the individual as being the person whose name is subscribed to the foregoing instrument, and being by me duly sworn, deposes and acknowledges to me that said individual has read the foregoing and executed this document with proper authority and in the capacity stated as the act of the company for the purposes and consideration therein expressed.

SWORN AND SUBSCRIBED before me, this the 1<sup>st</sup> day of June, 2007, to certify which witness my hand and seal of office.



Petra Hurlimann  
Notary Public, State of Texas  
Petra Hurlimann  
Printed Name of Notary  
Commission Expires 8-25-2010