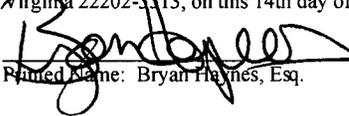


I hereby certify that this document and its attachments are being deposited with the United States Postal Service, "Express Mail Post Office to Addressee" service, as Express Mail No. EV 207523339 US, in an envelope addressed to Commissioner for Trademarks, Box TTAB NO FEE; 2900 Crystal Drive, Arlington, Virginia 22202-3113, on this 14th day of June, 2004.


Printed Name: Bryan Flaynes, Esq.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

PO-BOYZ, LTD.,

Concurrent Use Applicant,

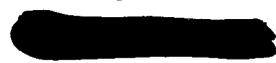
vs.

ANTONE'S IMPORT COMPANY,

Registrant.

§
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§
§
§
§
§
§
§
§

Concurrent Use No.: 1,236



06-14-2004

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #22

TO: Elizabeth A. Dunn, Attorney, Trademark Trial and Appeal Board

MOTION TO DISSOLVE CONCURRENT USE PROCEEDING

Po-Boyz, Ltd. ("Po-Boyz") and its assignee, NCM Investments, Inc. ("NCM"), request that the Trademark Trial and Appeal Board dissolve the above-styled Concurrent Use Proceeding. In support of this Motion, Po-Boyz and NCM state as follows:

1. Pursuant to an assignment agreement executed on July 1, 2003 (hereinafter the "Po-Boyz Assignment"), NCM, acting in its capacity as a secured creditor pursuant to Article 9 of the Texas Business & Commerce Code, foreclosed on and sold to NCM various marks owned by Po-Boyz, including United States Patent and Trademark Application Nos. 75/503,322 (Registration No. 2,337,399), 75/503,311 (Registration No. 2,318,074), 75/503,312, 75/503,313, 75/503,314, 75/503,323, 75/503,779 and 75/503,103, all subject to the present concurrent use proceeding. The Po-Boyz Assignment was duly recorded in the United States Patent and

Trademark Office on July 8, 2003 at reel/frame 002680/0054 and a true and correct copy of the same is attached hereto as Exhibit "A."

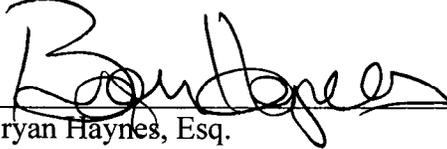
2. On December 12, 2003, AIC executed a trademark assignment (hereinafter the "AIC Assignment") assigning its right, title and interest in and to the trademarks and trademark registration nos. 842,945 and 920,803 to NCM. The AIC Assignment was duly recorded in the United States Patent and Trademark Office on February 10, 2004 at reel/frame 002790/0577, and a true and correct copy of the same attached hereto as Exhibit B.

3. Pursuant to the Po-Boyz and AIC Assignments, all right and title in and to the marks and corresponding applications and registrations that are the subject of this Concurrent Use Proceeding have merged into a single owner, NCM. Accordingly, there are no concurrent users of the marks and this Concurrent Use Proceeding is moot. There is, therefore, no further necessity for the continuation of this Concurrent Use Proceeding.

4. Accordingly, Po-Boyz and its assignee, NCM, respectfully request that:

- a. This concurrent use proceeding be dissolved;
- b. Application Nos. 75/338,445, 75/503,311, 75/503,322, previously issued as Registration Nos. 2,347,973, 2,318,074 and 2,337,399 respectively, be issued as unrestricted registrations in the name of NCM Investments, Inc.;
- c. Application Nos. 75/503,312, 75/503,313, 75/503,314, 75/503,323, 75/503,779 and 75/503,103 proceed to registration in the name of NCM Investments, Inc. without concurrent use restrictions; and
- d. Registration Nos. 842,945 and 920,803 be re-issued in the name of NCM Investments, Inc. without concurrent use restrictions.

Respectfully Submitted,



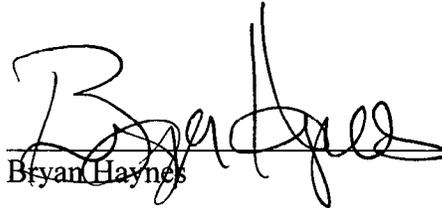
Bryan Haynes, Esq.
Locke Liddell & Sapp LLP
2200 Ross Avenue, Suite 2200
Dallas, Texas 75201-6776
Telephone (214) 740-8554
Facsimile (214) 740-8800

**ATTORNEYS FOR CONCURRENT
USE APPLICANT PO-BOYZ, LTD.
AND ITS ASSIGNEE, NCM
INVESTMENTS, INC.**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was sent via first class mail, postage prepaid, return receipt requested to the following counsel of record for Registrant this 14th day of June, 2004:

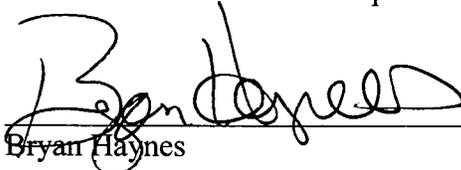
Harvey B. Jacobson, Jr.
Matthew J. Cuccias
JACOBSON HOLMAN PLLC
400 Seventh Street, N.W.
Washington, D.C. 20004



Bryan Haynes

CERTIFICATE OF CONFERENCE

I hereby certify that I spoke with Matthew J. Cuccias on at least three separate occasions prior to the filing of this Motion to Dismiss to ascertain Antone's Import Company's position regarding this Motion to Dismiss. On each occasion, Mr. Cuccias was unable to advise as to his client's position on the Motion to Dismiss, though he indicated he thought Antone's Import Company's would either be in agreement with the Motion to Dismiss or would not oppose the Motion to Dismiss. Po-Boyz, Ltd. and NCM Investments, Inc. are unable to delay the filing of the Motion to Dismiss any further pending the determination of Antone's Import Company's position regarding such motion.



Bryan Haynes



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
 ASSISTANT SECRETARY AND COMMISSIONER
 OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231

JULY 09, 2003

PTAS

LOCKE LIDDELL & SAPP LLP
 D. BRIT NELSON
 ATTN: IP DOCKET CLERK
 600 TRAVIS SUITE 3400
 HOUSTON, TX 77002-3095

70035598A

70035598A

UNITED STATES PATENT AND TRADEMARK OFFICE
 NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/08/2003

REEL/FRAME: 002680/0054
 NUMBER OF PAGES: 3

BRIEF: FORECLOSURE

ASSIGNOR:
 PO-BOYZ, LTD.

DOC DATE: 07/01/2003
 CITIZENSHIP:
 ENTITY: LIMITED PARTNERSHIP

ASSIGNEE:
 NCM INVESTMENTS, INC.
 2717 SACKETT
 HOUSTON, TEXAS 77098-1124

CITIZENSHIP: TEXAS
 ENTITY: CORPORATION

APPLICATION NUMBER: 75504103
 REGISTRATION NUMBER:

FILING DATE: 06/17/1998
 ISSUE DATE:

MARK: ANTONE'S
 DRAWING TYPE: STYLIZED WORDS, LETTERS, OR NUMBERS

APPLICATION NUMBER: 75503779
 REGISTRATION NUMBER:

FILING DATE: 06/17/1998
 ISSUE DATE:

MARK: ANTONE'S
 DRAWING TYPE: STYLIZED WORDS, LETTERS, OR NUMBERS

002680/0054 PAGE 2

APPLICATION NUMBER: 75503323
REGISTRATION NUMBER:FILING DATE: 06/17/1998
ISSUE DATE:MARK: ANTONE'S FAMOUS PO'BOYS & DELI
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS AND DESIGNAPPLICATION NUMBER: 75503314
REGISTRATION NUMBER:FILING DATE: 06/17/1998
ISSUE DATE:MARK: ANTONE'S
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORMAPPLICATION NUMBER: 75503313
REGISTRATION NUMBER:FILING DATE: 06/17/1998
ISSUE DATE:MARK: ANTONE'S
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS AND DESIGNAPPLICATION NUMBER: 75503312
REGISTRATION NUMBER:FILING DATE: 06/17/1998
ISSUE DATE:MARK: ANTONE'S
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS AND DESIGNAPPLICATION NUMBER: 72349291
REGISTRATION NUMBER: 0920803FILING DATE: 01/22/1970
ISSUE DATE: 09/21/1971MARK: ANTONE'S ORIGINAL
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORMAPPLICATION NUMBER: 72251268
REGISTRATION NUMBER: 0842945FILING DATE: 07/29/1966
ISSUE DATE: 01/23/1968MARK: ANTONE'S IMPORT CO.
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS AND DESIGNAPPLICATION NUMBER: 75338455
REGISTRATION NUMBER: 2347973FILING DATE: 08/11/1997
ISSUE DATE: 05/09/2000MARK: ANTONE'S ORIGINAL
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORMAPPLICATION NUMBER: 75503321
REGISTRATION NUMBER: 2242287FILING DATE: 06/17/1998
ISSUE DATE: 04/27/1999MARK: FAMOUS PO'BOYS & DELI
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS AND DESIGNAPPLICATION NUMBER: 75503324
REGISTRATION NUMBER: 2244068FILING DATE: 06/17/1998
ISSUE DATE: 05/04/1999MARK: FAMOUS PO'BOYS & DELI
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS AND DESIGN

002680/0054 PAGE 3

APPLICATION NUMBER: 75503781
REGISTRATION NUMBER: 2244070

FILING DATE: 06/17/1998
ISSUE DATE: 05/04/1999

MARK: FAMOUS PO'BOYS & DELI
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

APPLICATION NUMBER: 75503311
REGISTRATION NUMBER: 2318074

FILING DATE: 06/17/1998
ISSUE DATE: 02/15/2000

MARK: ANTONE'S
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

APPLICATION NUMBER: 75503322
REGISTRATION NUMBER: 2337399

FILING DATE: 06/17/1998
ISSUE DATE: 04/04/2000

MARK: ANTONE'S FAMOUS PO'BOYS & DELI
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS AND DESIGN

APPLICATION NUMBER: 75503780
REGISTRATION NUMBER: 2240016

FILING DATE: 06/17/1998
ISSUE DATE: 04/13/1999

MARK: FAMOUS PO'BOYS & DELI
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

THERESA FREDERICK, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

07/08/2003
700035598

Form FTO-1594 (Rev. 10/02) OMB No. 0651-0027 (exp. 6/30/2005)		RECORDATION FORM COVER SHEET TRADEMARKS ONLY		U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office	
Tab settings ⇌ ⇌ ⇌ ▼ ▼ ▼ ▼ ▼ ▼ ▼					
To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.					
1. Name of conveying party(ies): <u>PO-BOYZ, LTD.</u> <input type="checkbox"/> Individual(s) <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input checked="" type="checkbox"/> Limited Partnership <input type="checkbox"/> Corporation-State <input type="checkbox"/> Other _____ Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			2. Name and address of receiving party(ies) Name: <u>NCM INVESTMENTS, INC.</u> Internal Address: _____ Street Address: <u>2717 Sackett</u> City: <u>Houston</u> State: <u>TX</u> Zip: <u>77098-1124</u> <input type="checkbox"/> Individual(s) citizenship <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation-State <u>Texas</u> <input type="checkbox"/> Other _____ <small>If assignee is not domiciled in the United States, a domestic representative designation is attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Designations must be a separate document from assignment) Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</small>		
3. Nature of conveyance: <input type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input checked="" type="checkbox"/> Other <u>foreclosure</u> Execution Date: <u>07/01/2003</u>			4. Application number(s) or registration number(s): A. Trademark Application No.(s) <u>75504103; 75503779</u> <u>75503323; 75503314; 75503313; 75503312</u> B. Trademark Registration No.(s) <u>820803 842945 2347873</u> <u>2242287 2244068 2244070 2318074 2337389 2240016</u> Additional number(s) attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>D. Brit Nelson</u> Internal Address: <u>Locke Liddell & Sapp LLP</u> <u>ATTN: IP DOCKET CLERK</u> Street Address: <u>600 Travis Suite 3400</u> City: <u>Houston</u> State: <u>TX</u> Zip: <u>77002-3095</u>			6. Total number of applications and registrations involved: 15		
7. Total fee (37 CFR 3.41).....\$ <u>390</u> <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account			8. Deposit account number: <u>12-1322</u>		
DO NOT USE THIS SPACE					
9. Signature. <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <u>David Pile</u> <small>Name of Person Signing</small> </div> <div style="width: 30%; text-align: center;">  <small>Signature</small> </div> <div style="width: 30%; text-align: right;"> <u>07/08/2003</u> <small>Date</small> </div> </div> <div style="text-align: center; margin-top: 10px;"> Total number of pages including cover sheet, attachments, and document: 5 </div>					

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

E-11 5-1999 00 1-21-22 7-2003 103

**RECORDATION FORM COVER SHEET
TRADEMARKS ONLY**

Tab settings ⇌ ⇌ ⇌ ▼ ▼ ▼ ▼ ▼ ▼ ▼

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

1. Name of conveying party(ies):

PO-BOYZ, LTD.

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

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

2. Name and address of receiving party(ies)

Name: NCM INVESTMENTS, INC.

Internal

Address: _____

Street Address: 2717 Sackett

City: Houston State: TX Zip: 77098-1124

- 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

3. Nature of conveyance:

- Assignment Merger
 Security Agreement Change of Name
 Other foreclosure

Execution Date: 07/01/2003

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

A. Trademark Application No.(s) 75504103; 75503779
75503323; 75503314; 75503313; 75503312

B. Trademark Registration No.(s) 920803 842945 2347973
2242287 2244068 2244070 2318074 2337399 2240016

Additional number(s) attached Yes No

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

Name: D. Brit Nelson

Internal Address: Locke Liddell & Sapp LLP

ATTN: IP DOCKET CLERK

Street Address: 600 Travis Suite 3400

City: Houston State: TX Zip: 77002-3095

6. Total number of applications and registrations involved: _____

15

7. Total fee (37 CFR 3.41).....\$ 390

- Enclosed
 Authorized to be charged to deposit account

8. Deposit account number:

12-1322

DO NOT USE THIS SPACE

9. Signature.

David Pille

Name of Person Signing



Signature

07/08/2003

Date

Total number of pages including cover sheet, attachments, and document: **5**

TRADEMARK ASSIGNMENT

WHEREAS, PO-BOYZ, LTD., a Texas limited partnership, whose address is 2712 Sackett, Houston, Texas 77098-1124 ("Assignor"), claims to own certain marks (the "Marks") listed on the attached Exhibit A, attached hereto and incorporated herein by reference;

WHEREAS, Assignor executed and delivered to NCM INVESTMENTS, INC., a Texas corporation, whose address is 2712 Sackett, Houston, Texas 77098-1124 ("NCM"), a Security Agreement (All Assets), dated as of March 15, 2001 (the "Security Agreement"), and Assignor has defaulted in performing its obligations under the indebtedness secured by the Security Agreement;

WHEREAS, NCM, acting in its capacity as a secured creditor pursuant to Article 9 of the Texas Business & Commerce Code, has foreclosed on and sold the Marks, along with certain other property, to NCM INVESTMENTS, INC., a Texas corporation ("Assignee"), whose address is 2712 Sackett, Houston, Texas 77098-1124, the highest bidder at a validly conducted foreclosure sale;

WHEREAS, NCM has executed and delivered this Trademark Assignment pursuant to Section 9.619 of the Texas Business & Commerce Code;

THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, NCM, acting in its capacity as a secured creditor pursuant to Article 9 of the Texas Business & Commerce Code, has SOLD, ASSIGNED, TRANSFERRED and QUITCLAIMED and by these presents does hereby SELL, ASSIGN, TRANSFER and QUITCLAIM unto the Assignee, all of Assignor's right, title and interest, if any, in and to the Marks, applications and registrations, common law rights in any marks, and in and to any renewals and extensions that may be granted thereon, together with the goodwill of the business connected therewith and any right to recover for past infringement thereof and other past injury thereto.

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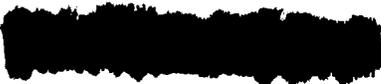
Exhibit A

Mark	Fed. Reg. No. / Fed. App. No.	Reg. Date / Filing Date
Trademark for ANTONE'S (stylized)	75/504,103	06/17/1998
Service mark for ANTONE'S (stylized)	75/503,779	06/17/1998
Service mark for ANTONE'S FAMOUS PO BOYS & DELI (with ellipse)	75/503,323	06/17/1998
Service mark for ANTONE'S (block letters)	75/503,314	06/17/1998
Service mark for ANTONE'S (with ellipse)	75/503,313	06/17/1998
Trademark for ANTONE'S (with ellipse)	75/503,312	06/17/1998
Trademark for ANTONE'S ORIGINAL	920,803	09/21/1971
Trademark for ANTONE'S IMPORT CO (an design)	842,945	01/28/1968
Service mark for FAMOUS PO BOYS & DELI (block letters)	2,240,016	04/13/1999
Service mark for FAMOUS PO BOYS & DELI (with ellipse)	2,242,287	04/27/1999
Trademark for FAMOUS PO BOYS & DELI (with ellipse)	2,244,068	05/04/1999
Trademark for FAMOUS PO BOYS & DELI (block letters)	2,244,070	05/04/1999
Trademark for ANTONE'S (block letters)	2,318,074	02/15/2000
Trademark for ANTONE'S FAMOUS PO BOYS & DELI (with ellipse)	2,337,399	04/04/2000
Trademark for ANTONE'S ORIGINAL (block letters)	2,347,973	05/09/2000
Mark	TX. Reg. No	Reg. Date
Service mark for ANTONES FAMOUS POBOY SANDWICH (block letters)	5,310,217	12/06/1993
Trademark for ANTONES (block letters)	5,311,517	12/06/1993
Trademark for ANTONES (block letters)	5,312,017	01/12/1994
Service mark for ANTONES IMPORT CO. (and design)	5,339,217	03/21/1994
Trademark for ANTONE'S IMPORT CO. (and design)	5,339,517	03/21/1994
Service mark for ANTONES (block letters)	5,340,917	03/21/1994

Trademark for ANTONES IMPORT CO (and design)	5,386,317	08/16/1994
Trademark for ANTONE'S ORIGINAL (and design)	5,386,417	08/16/1994



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
 ASSISTANT SECRETARY AND COMMISSIONER
 OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231

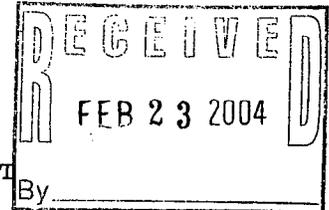


FEBRUARY 10, 2004

PTAS

900005141A

STEPHEN L. SAPP
 2200 ROSS AVENUE
 SUITE 2200
 DALLAS, TX 75201



UNITED STATES PATENT AND TRADEMARK OFFICE
 NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/10/2004

REEL/FRAME: 002790/0577
 NUMBER OF PAGES: 2

BRIEF: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

ASSIGNOR:

ANTONE'S IMPORT COMPANY

DOC DATE: 01/21/2004
 CITIZENSHIP: TEXAS
 ENTITY: CORPORATION

ASSIGNEE:

NCM INVESTMENTS, INC.
 2712 SACKETT STREET
 HOUSTON, TEXAS 77098-1124

CITIZENSHIP: TEXAS
 ENTITY: CORPORATION

APPLICATION NUMBER: 72251268
 REGISTRATION NUMBER: 0842945

FILING DATE: 07/29/1966
 ISSUE DATE: 01/23/1968

MARK: ANTONE'S IMPORT CO.

DRAWING TYPE: WORDS, LETTERS, OR NUMBERS AND DESIGN

002790/0577 PAGE 2

APPLICATION NUMBER: 72349291
REGISTRATION NUMBER: 0920803

FILING DATE: 01/22/1970
ISSUE DATE: 09/21/1971

MARK: ANTONE'S ORIGINAL
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

SHARON BROOKS, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



UNITED STATES PATENT AND TRADEMARK OFFICE

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Electronic Trademark Assignment System

eTAS

Confirmation Receipt

Your trademark assignment has been received by the USPTO.
The coversheet of the assignment is displayed below:

TRADEMARK ASSIGNMENT

Electronic Version v1.1

Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Antone's Import Company		01/21/2004	CORPORATION: TEXAS
RECEIVING PARTY DATA			
Name:	NCM Investments, Inc.		
Street Address:	2712 Sackett Street		
City:	Houston		
State/Country:	TEXAS		
Postal Code:	77098-1124		
Entity Type:	CORPORATION: TEXAS		
PROPERTY NUMBERS Total: 2			
Property Type	Number	Word Mark	
Registration Number:	0842945	ANTONE'S IMPORT CO.	
Registration Number:	0920803	ANTONE'S ORIGINAL	
CORRESPONDENCE DATA			
Fax Number:	(214)740-8726		

NAME OF SUBMITTER:	Seana L. Montgomery
Total Attachments: 1 source=Antones Assignment#page1.tif	
RECEIPT INFORMATION	
ETAS ID:	TM8713
Receipt Date:	02/10/2004
Fee Amount:	\$ 65

TRADEMARK ASSIGNMENT

WHEREAS, ANTONE'S IMPORT COMPANY, a Texas corporation, (hereinafter referred to as "Assignor"), owns certain right, title and interest in and to the Trademarks and Trademark Registrations for ANTONE'S, Registration No. 2,318,074, ANTONE'S IMPORT COMPANY, Registration No. 0842945, and ANTONE'S ORIGINAL, Registration No. 0920803 (hereinafter referred to collectively as "Trademark"); and

WHEREAS, NCM INVESTMENTS, INC., a Texas corporation (hereinafter referred to as "Assignee"), is desirous of acquiring all of Assignor's right, title and interest in and to the said Trademark;

NOW, THEREFORE, in consideration of the sum of Ten Dollars and other good and valuable consideration, the receipt of which is hereby acknowledged, Assignor does hereby sell, assign and transfer unto Assignee, its successors and assigns, all of Assignor's right, title and interest in and to the said Trademark together with the goodwill symbolized by said Trademark and the right to recover for past infringement as fully and entirely as the same would have been held by Assignor if this assignment and sale had not been made.

IN WITNESS WHEREOF, Assignor has caused this instrument to be executed this 12th day of December, 2003.

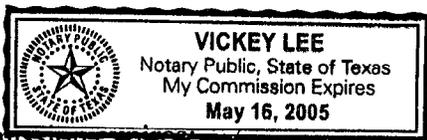
ANTONE'S IMPORT COMPANY,
a Texas corporation

By: [Signature]
Name: John A. Hutchinson
Title: President

On this 21 day of January, 2003 before me personally appeared John Hutchinson, to me personally known and known to me to be President of Antone's Import Company, a Texas corporation, the assignor above named, and acknowledged that he executed the foregoing trademark assignment on behalf of said assignor and pursuant to authority duly received.

(SEAL)

[Signature]
Notary Public in and for State of Texas,
County of _____.



My Commission Expires: _____

Agreement

LOCKE LIDDELL & SAPP LLP

ATTORNEYS & COUNSELORS

2200 ROSS AVENUE
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June 14, 2004

TTAB

VIA EXPRESS MAIL NO. EV 207523339 US

Commissioner for Trademarks
BOX TTAB - NO FEE
2900 Crystal Drive
Arlington, Virginia 22202-3514

Re: Concurrent Use No. 1,236
Our File No. 041851/00007



06-14-2004

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #22

Dear Sir or Madam:

Enclosed for filing in the United States Patent and Trademark Office are the following:

1. Motion to Dissolve Concurrent Use Proceeding;
2. Certificate of Mailing by Express Mail No. EV 207523356 US;
3. Return Postcard; and
4. Return envelope.

The Commissioner is hereby authorized to charge any additional fee which may be required to Deposit Account No. 12-1781 (42328-00001). A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Bryan Haynes
For the Firm

BH/ght
Enclosures

cc: Harvey B. Jacobson, Jr. (w/enclosure)
(Via U.S. Mail)