

01-12-2001

U.S. Department of Commerce  
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TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

New

Resubmission (Non-Recordation)  
Document ID#

Correction of PTO Error  
Reel #  Frame #

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Conveyance Type

Assignment  Security Agreement

License  Change of Name

Merger  Other

**U.S. Government**  
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Mark if additional names of conveying parties attached

Execution Date  
Month Day Year

Name (line 1)

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Execution Date  
Month Day Year

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Enter for the first Receiving Party only.

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**Correspondent Name and Address**

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**Pages** Enter the total number of pages of the attached conveyance document including any attachments. #

**Application Number(s) or Patent Number(s)**

Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

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If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor. Month Day Year

**Patent Cooperation Treaty (PCT)**

Enter PCT application number only if a U.S. Application Number has not been assigned.

PCT <input type="text"/>	PCT <input type="text"/>	PCT <input type="text"/>
PCT <input type="text"/>	PCT <input type="text"/>	PCT <input type="text"/>

**Number of Properties**

Enter the total number of properties involved. #

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41): \$

Method of Payment: Deposit Account

Enclosed  Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

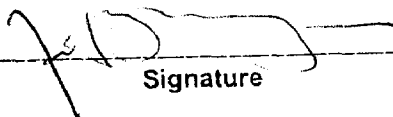
Deposit Account Number: #

Authorization to charge additional fees: Yes  No

**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. Charges to deposit account are authorized, as indicated herein.

Frank B. Mesmer, Jr., Esq.



9-29-00

Name of Person Signing

Signature

Date

THE STATE OF NEW HAMPSHIRE

HILLSBOROUGH, SS  
NORTHERN DISTRICT

SUPERIOR COURT

00-E-0280

RICHARD P. CROWLEY

V.

NUBY HOLDINGS CORPORATION

ORDER

On Petition of Richard P. Crowley, and defendant having failed to appear after service of Orders of Notice upon it, now in accordance with the provisions of RSA 293-A:14.30 et seq., it is hereby:

ORDERED, Nuby Holdings Corporation shall, pending further order of this Court and except as authorized by the receiver appointed hereunder, be enjoined from:

A. Selling, transferring, encumbering, pledging, mortgaging, or creating in favor of any third party an interest in any of its patents, trademarks, or other intellectual property;

B. Granting in favor of any third party any license to use any such patent or trademark without first establishing an escrow, either with the Court or in favor of Richard P. Crowley by private agreement, for all royalties or other sums paid or payable to Nuby Holdings Corporation as consideration for such license.

And it is further ORDERED, that pursuant to RSA 293-A:14.31(c) the Court appoints Attorney Frank Mesmer of 41 Brook Street, Manchester, New Hampshire 03104, as a receiver and custodian of Nuby Holdings Corporation, with full power and authority to liquidate the assets and business of Nuby Holdings Corporation, including power to

(i) dispose of all or any part of the assets of the corporation wherever located, at public or private sale;

(ii) sue and defend in his own name as receiver of the corporation;

(iii) exercise all of the powers of the corporation, through or in place of its board of directors or officers, to the extent necessary to manage the affairs of the corporation in the best interests of its creditors and shareholders;

(iv) distribute to Petitioner, and thereafter to any other creditors of the corporation who shall timely file proofs of claim with him, the proceeds of disposition of assets.

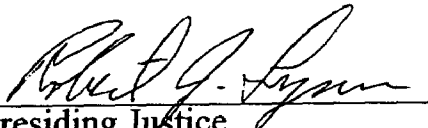
And it is further ORDERED, that Nuby Holdings Corporation shall file with the

receiver and with the Court, on or before October 5, 2000, a schedule of all of its shareholders and creditors together with their last known addresses and the number of shares owned or amount owing to each creditor; and the receiver shall give notice of this proceeding to all creditors so scheduled (or by publication in the Union Leader if no such schedule is filed by October 5, 2000) and shall establish a deadline, no earlier than thirty days from the giving of said notice, for submission of proofs of claim by creditors (other than Petitioner), supported by proper documentation; and he may challenge the validity of any such claims if he finds such challenge to be warranted and in the best interests of creditors.

And it is further ORDERED, that the receiver shall file an interim Report of his actions with this Court no later than December 31, 2000, and a final Report as soon thereafter as his duties hereunder are completed, together with an application for his fees, which shall be subject to approval by the Court and shall be a first priority lien on any recovery from the disposition of corporate assets.

And it is further ORDERED, that a copy of this Order shall be served upon Nuby Holdings Corporation forthwith; and effective upon such service of said Order, any action by the shareholders or directors of the corporation at any regular or special meeting shall be voidable by the receiver/custodian.

*9/2/00*

  
Presiding Justice