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U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks

102703959

Unrecorded original documents or copy thereof.

1. Name of conveying party(ies):

**Kara Webster
Roger Seiver**

3.19.04

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

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☒ Other: Order in 12th Judicial District of Tennessee,

Chancery Court of Bledsoe County;Case No. 2850Execution Date: 01/14/2004

2. Name and address of receiving party(ies)

Name: **Dark Horse Enterprises, Inc.**Address: **129 Main Street****Sandy, Utah 84070**Additional Name(s) & address(es) attached? ☐ Yes ☒ No

03/22/2004 SFELEKE1 00000053 10667143

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

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

10/667,143

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

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

Name: Randall B. BatemanInternal Address: BATEMAN IP LAW GROUPStreet Address: 4 Triad Center, Suite 825P. O. Box 1319City: Salt Lake City State: Utah ZIP: 841106. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41) \$ 46.00☒ Enclosed☒ Authorized to be charged to deposit account

8. Deposit account number:

502720 (Deficiencies Only)

(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.*Randall B. Bateman

Name of Person Signing

Signature

3/16/04

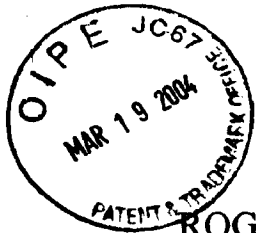
Date

Total number of pages including cover sheet, attachments, and document: [Total # of pages]

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

Commissioner of Patents & Trademarks, Box Assignments

**PATENT
REEL: 015119 FRAME: 0979**



IN THE 12TH JUDICIAL DISTRICT OF TENNESSEE
CHANCERY COURT OF BLEDSOE COUNTY

ROGER D. SIEVER and KARA
WEBSTER, individually; DARK
HORSE ENTERPRISES, INC.;
and KARA WEBSTER, Trustee for
the J.D.H. 2003 QUALIFIED
SUBCHAPTER S TRUST,

Plaintiffs,

Vs.

JOHN D. HAWKINS, individually
and as Trustee for the J.D.H. 2003
QUALIFIED SUBCHAPTER S
TRUST,

Defendants.

Filed	1-14-04
Time	10:30AM
Clerk	dd
Greg Forgey Clerk & Master Bledsoe County, TN	

No. 2850

ORDER

This cause came before the Court for final hearing on the 5th day of January, 2004, before the Honorable Jeffrey F. Stewart, Chancellor, upon the Complaint seeking injunctive relief, specific performance and monetary damages filed by the Plaintiffs, Roger D. Siever and Kara Webster, individually, Dark Horse Enterprises, Inc., and Kara Webster, as Trustee for the J.D.H. 2003 Qualified Subchapter S Trust; service of process of the same upon the Defendant, John D. Hawkins, individually and the Defendant, John D. Hawkins as Trustee for the J.D.H. 2003 Qualified Subchapter S Trust; the Orders heretofore entered in this cause on December

1, 2003 and December 9, 2003; the Motion for Judgment by Default filed by the Plaintiffs on December 9, 2003; the Order scheduling this matter for final hearing on January 5, 2004, entered on December 9, 2003; service of the Motion for Judgment by Default and Order scheduling the Motion for hearing upon the Defendant, John D. Hawkins, individually, and the Defendant, John D. Hawkins as Trustee for the J.D.H. 2003 Qualified Subchapter S, by United States Mail, at the address provided to the Clerk and Master by this Defendant pursuant to one or more telephone conversations with the Clerk and Master or Deputy Clerk and Master and through these Defendants' Utah attorney, O. Robert Meredith; the Order of Default entered in this cause on January 5, 2004; the testimony of the Plaintiff, Roger D. Siever, as heard in open Court; the documents and exhibits tendered to the Court in conjunction with this testimony; the statements of counsel; and the entire record as a whole; from all of which it duly appears to the Court as follows:

1. That this Court has jurisdiction and venue to litigate this matter, and enter Orders in accordance with the Complaint filed in this cause, given the substantial contacts of the Defendants, John D. Hawkins, individually and John D. Hawkins as Trustee for the J.D.H. 2003 Qualified Subchapter S Trust, these Defendants' participation in the incorporation of

Dark Horse Enterprises, Inc., a Tennessee corporation, with its principal office located in Bledsoe County, Tennessee, the Defendants' execution of a Shareholders Agreement applicable to Dark Horse Enterprises, Inc., dated April 3, 2003, and the Defendants' ownership of shares of stock of Dark Horse Enterprises, Inc.;

2. That, in accordance with the Court's findings on November 18, 2003, the Defendant, John D. Hawkins, individually and the Defendant, John D. Hawkins as Trustee for the J.D.H. 2003 Qualified Subchapter S. Trust, received notice of the filing of the Complaint, and proper service of process of the Complaint was obtained upon the Defendants through the Sheriff's Department of Salt Lake County, Utah;

3. That notice of all hearings, including the scheduled hearing in conjunction with the Plaintiff's Motion for Judgment by Default, was timely provided to the Defendants at the address provided to the Clerk and Master's Office by the Defendant, John D. Hawkins, in conjunction with one or more telephone conferences with the Clerk and Master's Office by this Defendant, and through the Defendants' Utah counsel, O. Robert Meredith;

4. That the Defendants have failed to appear and make answer to or otherwise defend this action, and the Plaintiffs are, therefore, entitled to a default judgment;

5. That in accordance with the aforeidentified Shareholders Agreement, attached hereto as Exhibit "A", the Defendants, John D. Hawkins, individually, and the J.D.H. 2003 Qualified Subchapter S Trust, the Plaintiff, Dark Horse Enterprises, Inc. and the shareholders of Dark Horse Enterprises, Inc., to wit, Roger D. Siever and Kara Webster, were granted a right of first refusal to purchase shares of stock offered for sale or transfer by a shareholder;

6. That by letter and email dated July 27, 2003, and transmitted to the Plaintiff, Roger D. Siever, the Defendant, John D. Hawkins, set forth his intention to transfer his shares of stock of Dark Horse Enterprises, Inc. and/or the shares of stock held by the J.D.H. 2003 Qualified Subchapter S Trust to the remaining shareholders, Roger D. Siever and Kara Webster, or the corporation, Dark Horse Enterprises, Inc., all in accordance with the aforeidentified shareholder agreement. The Plaintiff, Roger D. Siever, immediately responded to this offer, and provided the Defendant, John D. Hawkins, and the Defendant John D. Hawkins as Trustee for the J.D.H. 2003 Qualified Subchapter S Trust, with his intent to acquire these shares of stock for the corporation and/or the remaining individual shareholders and Plaintiffs, Roger D. Siever and Kara Webster. Notification of the

acceptance of this offer was provided to the Defendants by the Plaintiff, Roger D. Siever, on July 28, 2003, by written email;

7. That neither the Defendant, John D. Hawkins, individually, nor the Defendant, John D. Hawkins as Trustee for the J.D.H. 2003 Qualified Subchapter S Trust had any capital investments nor any monetary contributions towards the formation of the corporation nor the acquisition of corporate assets, including tangible and intangible assets and intellectual properties of the corporation;

8. That the interest of the Defendant, John D. Hawkins, individually, and the Defendant, John D. Hawkins as Trustee for the J.D.H. 2003 Qualified Subchapter S Trust should be divested out of these Defendants and vested solely and exclusively in the Plaintiff corporation, Dark Horse Enterprises, Inc. and/or the individual Plaintiffs, Roger D. Siever and Kara Webster, such that all outstanding and issued shares of stock of Dark Horse Enterprises, Inc., are owned entirely and exclusively by the individual Plaintiffs, Roger D. Siever and Kara Webster, free and clear of all claims, demands, right, title or interest of the Defendant, John D. Hawkins, individually, and the Defendant, John D. Hawkins as Trustee for the J.D.H. 2003 Qualified Subchapter S Trust;

9. That all right, title and interest of the Defendant, John D. Hawkins, individually, and the Defendant, John D. Hawkins as Trustee for the J.D.H. 2003 Qualified Subchapter S Trust, including tangible and intangible assets and the patent applications specifically identified as the "Dual Air Ventilation System, Patent Application No. 10-655, 734, filed September 5, 2003", and "Easy-Hitch Trailer Hitch, Patent Application No. 10-667, 143, filed September 19, 2003", as well as any and all intellectual properties of the corporation or these Defendants associated with this corporation, should be divested out of this Defendant and vested solely and exclusively in the Plaintiff corporation, Dark Horse Enterprises, Inc. and/or the individual Plaintiffs, Roger D. Siever and Kara Webster;

10. That the corporation further advanced to the Defendant, John D. Hawkins, individually, and the Defendant, John D. Hawkins as Trustee for the J.D.H. 2003 Qualified Subchapter S Trust, ^{the sum of 20,000} to be repaid upon demand by these Defendants to the corporate Plaintiff, Dark Horse Enterprises, Inc.;

11. That demand for payment was timely made by the corporation to the Defendants, that these Defendants have failed and refused to satisfy or otherwise make payments towards this obligation;

12. That the Plaintiff, Dark Horse Enterprises, Inc., should be granted judgment against the Defendant, Defendant, John D. Hawkins, individually, and the Defendant, John D. Hawkins as Trustee for the J.D.H. 2003 Qualified Subchapter S Trust, for the amount of this obligation, to wit \$20,000.00;

13. That the Plaintiff, Dark Horse Enterprises, Inc., should further be entitled to recover certain personal properties from the Defendant, in the possession of the Defendant, including any and all documents associated with the aforeidentified patents, the Trailer Hitch/Easy Hitch Guide Bag Back, any and all ionizers, and a computer, and the Clerk and Master of this Court shall issue a writ of possession, if necessary, to enable the Plaintiff corporation to obtain possession of these items;

14. That the costs of this cause should be assessed to the Defendants, John D. Hawkins, individually, and John D. Hawkins as Trustee for the J.D.H. 2003 Qualified Subchapter S Trust.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

1. That all right, title and interest of the Defendants, John D. Hawkins, individually, and John D. Hawkins as Trustee for the J.D.H. 2003 Qualified Subchapter S Trust, in and to Dark Horse Enterprises, Inc., a

Tennessee corporation, and all shares of stock outstanding and/or issued by this corporation shall be and are hereby divested out of these Defendants and vested solely and exclusively in the corporation and/or the remaining shareholders of the corporation, to wit the Plaintiffs Roger D. Siever and Kara Webster. The Clerk and Master shall issue a certified copy of this Order to the Plaintiff corporation's secretary as and for muniment of title to these shares of stock and to further enable the secretary of the corporation to transfer the shares of stock accordingly.

2. That all right, title and interest of the Defendants, John D. Hawkins, individually, and John D. Hawkins as Trustee for the J.D.H. 2003 Qualified Subchapter S Trust, in and to all tangible and intangible assets of the corporation, specifically including patent applications identified as the "Dual Air Ventilation System, Patent Application No. 10-655, 734, filed September 5, 2003", and "Easy-Hitch Trailer Hitch, Patent Application No. 10-667, 143, filed September 19, 2003", as well as other intellectual properties of or associated with Dark Horse Enterprises, Inc., shall be and is hereby divested out of these Defendants and vested solely and exclusively in the Plaintiff corporation, Dark Horse Enterprises, Inc. and/or the remaining corporation shareholders, to wit the Plaintiffs, Roger D. Siever and Kara Webster. The Clerk and Master of this Court shall provide a certified copy

of this Order to the Plaintiffs to enable the appropriate patent offices and governmental agencies to transfer, document or otherwise title these patent applications in the name of the Plaintiff corporation, Dark Horse Enterprises, Inc.

3. That the Plaintiff, Dark Horse Enterprises, Inc., shall be and is hereby granted judgment against the Defendants, in the amount of \$20,000.00, representing funds advanced to these Defendants by the corporation following the formation of the corporation. The Plaintiffs' oral request for statutory pre-judgment interest on this obligation shall be and is hereby denied.

4. That the Plaintiff, Dark Horse Enterprises, Inc. shall be and is hereby awarded possession of the following personal properties, owned by the corporation and previously delivered to the Defendants, John D. Hawkins, individually, and John D. Hawkins as Trustee for the J.D.H. 2003 Qualified Subchapter S Trust: any and all documents associated with the aforeidentified patents, the Trailer Hitch/Easy Hitch Guide Bag Back, any and all ionizers, and a computer. The Clerk and Master of this Court shall issue a writ of possession, if necessary, to enable the Plaintiffs to take possession of these items in accordance with the terms and provisions of this Order.

5. That the costs of this cause shall be and are hereby assessed to the Defendants, John D. Hawkins, individually, and John D. Hawkins as Trustee for the J.D.H. 2003 Qualified Subchapter S Trust, for which execution may issue, if necessary.

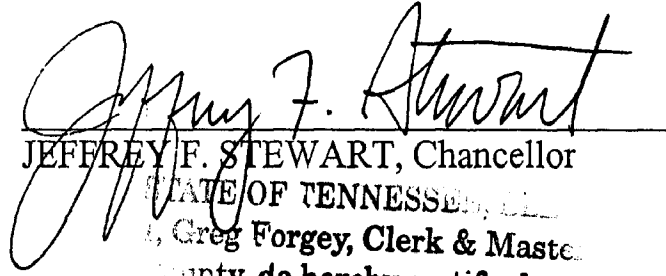
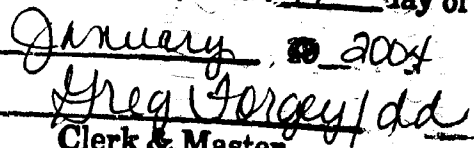
ENTER:

Approved for entry:

HOWARD L. UPCHURCH
Attorney for Plaintiffs
P.O. Box 381
Pikeville, Tennessee 37367
(423) 447-2903

BY:

HOWARD L. UPCHURCH
BPR# 10145


JEFFREY F. STEWART, Chancellor
STATE OF TENNESSEE
I, Greg Forgey, Clerk & Master
County, do hereby certify that #2850 order is a full,
true, and perfect copy of org. order
as same appears of record now on file
in my office.
Witness my hand and official seal, at office in
PIKEVILLE, TENN. this the 14th day of
January, 2004

Clerk & Master

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing Order has been forwarded by United States Mail, postage prepaid, to the Defendants, John D. Hawkins, individually and as Trustee for the J.D.H. 2003 Qualified Subchapter S Trust, 13146 South Day Court, Draper, UT 84020; and 113 Loyal Avenue, Midvale, UT 84047; and to O. Robert Meredith, Attorney at Law, 311 South State Street, Suite 380, Salt Lake City, UT 84111-5215.

This 14th day of Jan., 2004.


HOWARD L. UPCHURCH