

**TRENAM  
KEMKER**

Attorneys At Law

PLEASE REPLY TO

TAMPA OFFICE  
2700 BARNETT PLAZA  
101 EAST KENNEDY BOULEVARD  
P.O. BOX 1102 (33601)  
TAMPA, FLORIDA 33602-5150  
TELEPHONE (813) 223-7474  
FAX (813) 229-6553

ST. PETERSBURG OFFICE  
450 CARILLON PARKWAY  
SUITE 120  
ST. PETERSBURG, FLORIDA 33716  
TELEPHONE (727) 898-7474  
FAX (813) 229-6553

**922243**

Tampa  
Internet e-mail: [sgd@trenam.com](mailto:sgd@trenam.com)

December 20, 1999

VIA CERTIFIED MAIL No. 528928  
RETURN RECEIPT REQUESTED

800003080928--1  
-12/27/99--01124--006  
\*\*\*\*\*50.00 \*\*\*\*\*50.00

Division of Corporations  
P.O. Box 6327  
Tallahassee, FL 32314

RE: Assignment of Mark Registration,  
Florida Reg. Nos. ~~T93000000171~~ and 922243  
Our File No. 99-5788

FILED  
00 FEB 24 AM 10:47  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

Dear Madam or Sir:

Enclosed please find two Assignment of Mark Registrations for filing from Discount Auto Parts, Inc. to DAP Asset Management, Inc., together with two checks for \$50.00 to cover each of the separate filing fees.

Please acknowledge receipt of this filing by affixing your receiving stamp to the enclosed pre-addressed post cards, postage prepaid. Thank you for your consideration in this matter.

Sincerely,

*Phillip G. Day*  
Phillip G. Day

(3)

*corp not qual.*

789/680/671

**ASSIGNMENT**

Enclosures  
LT00000001TrademarkDiscountFloridaAssignment.doc;lr;wpd

Name	Availability	922243
Document Examiner		NJC
Updater		NJC
Updater Verifier		NJC
Acknowledgement		NJC
P. Verifier		NJC



FLORIDA DEPARTMENT OF STATE  
Katherine Harris  
Secretary of State

December 30, 1999

Phillip G. Day, Esquire  
Trenan Kemker  
P.O. Box 1102  
Tampa, FL 33602-5150

SUBJECT: DISCOUNT AUTO PARTS  
Ref. Number: 922243

We have received your document for DISCOUNT AUTO PARTS and your check(s) totaling \$50.00. However, the enclosed document has not been filed and is being returned for the following correction(s):

Because this office is responsible for administering various chapters of the Florida Statutes in addition to Chapter 495, F.S., every business entity listed as the owner/applicant of a mark must have an active registration/filing on file with this office before this filing can be completed. Therefore, we are enclosing the appropriate instructions and/or forms for your convenience.

Please return your document, along with a copy of this letter, within 60 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (850) 487-6918.

Nanette Causseaux  
Corporate Specialist Supervisor

Letter Number: 399A00060702

TAMPA OFFICE  
2700 BARNETT PLAZA  
101 EAST KENNEDY BOULEVARD  
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Attorneys At Law

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Internet email: [pgday@trenam.com](mailto:pgday@trenam.com)

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ST. PETERSBURG, FLORIDA 33716  
TELEPHONE (727) 898-7474  
FAX (813) 229-6553

February 10, 2000

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Division of Corporations  
Attn: Nanette Causseaux, Corporate Specialist Supervisor  
Post Office Box 6327  
Tallahassee, Florida 32314

RE: DISCOUNT AUTO PARTS  
Our File No. 99-5788  
Ref. Number: 399A00060702

Dear Ms. Causseaux:

Pursuant to our conversation on January 10, 2000 and in response to your letter of December 30, 1999 regarding the application to assign the mark "DISCOUNT AUTO PARTS" on behalf of our client, DAP Asset Management, Inc. please accept this letter and the enclosed affidavit as complying with your requests and the requirements under Florida Statutes.

Also, you have indicated that under Florida Statutes, every business entity listed as the owner/applicant of a mark must have an active registration/filing on file with your office before a filing can be completed. As we discussed, in order to comply with applicable State law, we have enclosed a notarized and executed affidavit certifying that DAP Asset Management, Inc., a Delaware corporation, is not transacting business in the State of Florida as defined under Florida Statutes §607.1501, and therefore is not required to obtain a certificate of authority from the Florida Department of State.

If you have any additional requests or inquiries, please feel free to call me at (813) 223-7474. Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Phillip G. Day", is written over a printed name. The signature is stylized and includes a large flourish at the end.

Phillip G. Day

cc: Gary I. Teblum, Esquire

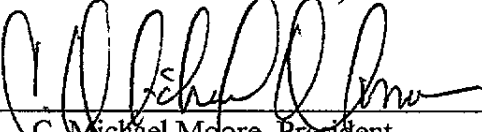
L:\TX\PGD\Trenam\Discount\Sec1501\_response fla.rpd

**AFFIDAVIT**

The undersigned, C. Michael Moore, President of DAP Asset Management, Inc., a Delaware corporation, who, upon being duly sworn, certifies that DAP Asset Management, Inc., is not transacting business in the State of Florida, as defined under Florida Statutes §607.1501, and therefore is not required to obtain a certificate of authority from the Florida Department of State.

Under penalties of perjury, I declare that I have read the foregoing and that the facts alleged are true, to the best of my knowledge and belief.

DAP ASSET MANAGEMENT, INC.

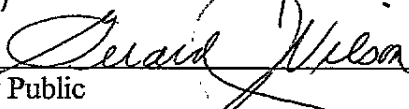
By:   
C. Michael Moore, President

STATE OF New York  
COUNTY OF Westchester

Before me, the undersigned authority, personally appeared C. Michael Moore, who, being duly sworn, deposes and says that he is the President of DAP Asset Management, Inc., and that in that capacity he executed the foregoing instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 8th day of February, 2000.

**GERARD WILSON**  
Notary Public, State of New York  
No. 01W14984455  
Qualified in Westchester County  
Commission Expires July 22, 2001

  
Notary Public

My Commission Expires: 7/22/2002

Personally Known \_\_\_\_\_ OR Produced Identification \_\_\_\_\_  
Florida DL

Type of Identification Produced M 600 153 59 3240 9/4/2002

ASSIGNMENT OF MARK REGISTRATION

1. The mark to be assigned is: Discount Auto Parts

Registration Number: 922243

2. ASSIGNOR:

Name: Discount Auto Parts, Inc.

If Assignor is a corporation, the state in which incorporated & FL registration Number: Florida; 402764

Address: 4900 Frontage Road, South

City: Lakeland State/Zip: Florida 33815

3. ASSIGNEE:

Name: DAP Asset Management, Inc.

If Assignee is a corporation, the state in which incorporated & FL registration number: Delaware

Address: 300 Delaware Avenue, 9th Floor - DE 5403

City: Wilmington State/Zip: Delaware 19801

4. All right, title and interest in and to said mark, together with the good will of the business in which the mark is used (or that part of the good will of the business connected with the use of the mark) is hereby assigned by Discount Auto Parts, Inc. to

(the Assignor)

DAP Asset Management, Inc.

(the Assignee)  
(Assignor's Signature)

(Assignee's Signature)

By C. Michael Moore  
(Typed or Printed Name of Person Signing Above)

By C. Michael Moore  
(Typed or Printed Name of Person Signing Above)

On this 30th day of November, 19 99, C. Michael Moore personally appeared before me,

who is personally known to me  whose identity I proved on the basis of driver license

(Notary Seal)

(Signature)  
\_\_\_\_\_  
Notary Public

Instructions: The assignment must be signed by both the assignee and the assignor. If a corporation, an officer of the corporation must sign. Both the assignee's and the assignor's signature must be acknowledged before a Notary Public. If you need assistance, call the Registration Section at (850) 487-6051.

FILING FEE: \$50  
Division of Corporations P. O. Box 6327 Tallahassee, FL 32314

FILED  
00 FEB 24 AM 10:27  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA