

4-28-98

RE

05-05-1998

SHEET
LY

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

APR 28 1998

Re 6 93:
OMB No 0651-0011 exp 4 94)



100701414

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 S. Bank Trust National
Association formerly known
as First Trust of New York and
Ward A Spooner (U.S. Citizen)

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

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

3. Nature of conveyance:

☐ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☒ Other Release

Execution Date: April 16, 1998

2. Name and address of receiving party(ies):
Name: K Mart Corporation

Internal Address: _____

Street Address: 3100 West Big Beaver Road

City: Troy State: MI ZIP: 48084 - 2902

☐ Individual(s) citizenship _____
☐ Association _____
☐ General Partnership _____
☐ Limited Partnership _____
☒ Corporation-State Michigan
☐ 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

4. Application number(s) or Registration number(s): SEE ATTACHED SCHEDULE

A. Trademark Application No.(s) _____ B. Trademark Registration No.(s) _____

Additional numbers attached? ☒ Yes ☐ No

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

Name: Elaine Ziff, Esq.

Internal Address: Skadden Arps Slate
Meagher & Flom LLP

Street Address: 919 Third Avenue

City: New York State: NY ZIP: 10022

6. Total number of applications and registrations involved: 325

7. Total fee (37 CFR 3.41).....\$ 8,140.00

☒ Enclosed
☐ Authorized to be charged to deposit account

8. Deposit account number: _____

(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.

Kristine Fyfe _____ 4/23/98
Name of Person Signing Signature Date

Total number of pages including cover sheet, attachments, and document: 1

Mail documents to be recorded with required cover sheet information to

REEL: 1728 FRAME: 0966

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4-06 08 810.00
04/30/1998 TTUHL
01 FD-481
02 FD-482

ADDITIONAL RECEIVING PARTIES

BUILDER'S SQUARE, INC.
3100 WEST BIG BEAVER ROAD
TROY, MICHIGAN 48084-2902

MICHIGAN CORPORATION

Schedule A

U.S. Trademarks - Kmart Properties, Inc.

<u>Mark</u>	<u>Registration Number</u>
"SNAP-EX"	965,148
1ST AUTO	1,807,099
1ST AUTO and design	1,875,055
AFFIRM	1,865,160
ALL PRO	979,924
ALPINE WAY	1,533,304
AMERICAN DEFENSE	1,381,625
AMERICAN FARE	755,172
AMERIKIND PHARMACY NETWORK	1,775,475
ANN HILL PETITES	1,869,741
ARIANTE	1,777,786
ARRESTOR PLUS	1,342,469
ASHLEY TAYLOR	1,891,181
ASHLEY TAYLOR	1,527,058
ASHLEY TAYLOR	1,925,336
AT HOME WITH MARTHA STEWART	1,560,990
AT HOME WITH MARTHA STEWART	1,688,759
AT HOME WITH MARTHA STEWART and design	1,566,030
ATHLETECH stylized	1,706,862
ATHLETECH stylized	1,807,652
ATHLETIC SUPPLY GEAR	1,790,495
AUDIO ACCENTS	1,687,685
AUDIO ACCENTS	1,654,644
B.E.	1,794,324
BASIC EDITIONS	1,793,145
BASIC EDITIONS	1,802,171
BE KIND TO THE EARTH	1,639,322
BENCH TOP	1,272,434
BENCH TOP	1,859,104
BENCH TOP and design	1,842,207
BIG K BURGER	1,887,332

TRADEMARK
REEL: 1503 FRAME: 0130

TRADEMARK
REEL: 1728 FRAME: 0968



Mark	Registration Number
BIG K CHEESEBURGER	1,886,222
BLIZZARD ICE MELTER	1,841,584
BLUE LIGHT SPECIAL	1,179,644
car and triangle design	1,345,681
CLEAR CHOICE	1,868,171
CLOSET COMPANIONS	1,644,784
CONNECTORS	1,564,704
CRAFTED WITH LOVE and design	1,762,678
CRISTIN STEVENS	1,384,434
DAY 'N NIGHT	1,500,933
DAZZLE	1,126,130
DAZZLE	1,818,688
DAZZLE ALL PURPOSE CLEANER and design	721,133
DAZZLE and design	676,111
DENIM EXPRESS	1,937,867
DENIM REPUBLIC	1,888,569
DOWN DESIGNS and design	1,164,708
DUSTY LENS CAP	1,532,364
EASY NET	1,345,475
EATERY EXPRESS	1,584,137
ELECTRIC KIDS	1,365,696
ENVOY	1,372,709
EUROPEAN CONNECTION	1,401,306
EXPRESSIONS	1,926,814
FAMILY FASHIONS BY KMART	1,849,669
FASHION FRESH	1,341,855
FIT'EMS	1,455,283
FIVE PORTS	1,774,242
FLUFF 'N' BOB	1,879,504
FOCAL	918,869

TRADEMARK
REEL: 1503 FRAME: 0131

TRADEMARK
REEL: 1728 FRAME: 0969



Mark	Registration Number
FOCAL	1,801,969
FOCAL	973,951
FOCAL	1,202,458
FOCAL ONE TIME	1,740,514
FOX HOLLOW	1,433,968
FRESH LOOK	1,115,105
FUN SPIRIT	1,861,898
G4000	1,845,692
GALAXIE 300 and design	820,667
GARDEN SPLENDOR	1,636,189
GOLDEN SUMMER	1,641,318
GOLDEN WINGS	1,384,432
GREAT AWAKENINGS	1,754,527
GREEN OAK stylized	265,953
GREETINGS WITH LOVE	1,766,476
HEARTH STYLES	1,637,252
HEMINGWAY POINT	1,879,801
HEMINGWAY POINT	1,550,220
HOW TOUGH? BENCH TOP TOUGH	1,875,651
HUNTER'S GLEN	1,384,431
IDLE TIME	447,596
IDLE TIME	1,342,808
IMPULSE stylized	1,377,137
IS THIS PLACE GREAT OR WHAT	1,889,500
IT'S A SNAP	1,903,840
JACLYN SMITH	1,532,841
JACLYN SMITH	1,921,873
JACLYN SMITH	1,382,436
JEAN	754,257
JESSICA SCOTT	1,880,669

TRADEMARK
REEL: 1503 FRAME: 0132

TRADEMARK
REEL: 1728 FRAME: 0970

Mark	Registration Number
JUPITER	738,395
K CARE	1,233,231
K CARE	1,360,421
K CARE	1,235,833
K CARE/FLEET CARE and design	1,328,958
K GRO	1,753,492
K MART	1,532,121
K MART	774,794
K MART	787,797
K MART	787,715
K MART	743,522
K MART	1,510,355
K MART	1,546,637
K MART	1,538,077
K MART GOOD NEWS COMMITTEE	1,515,930
K MART PLAZA stylized	854,876
K RUGGED and design	1,009,193
K TONE	1,016,331
K 9 FEAST	1,886,244
K-LECTABLE sytlized	1,207,862
K-MATES	1,013,582
K-NOL K MART and design	1,330,457
K-RID	1,466,929
K-RID AWAY!	1,509,895
K.T. KEMPLE'S	1,939,218
KATS DELIGHT and design	1,877,843
KETCH	1,483,558
KGRO	1,909,734
KINDA KUTE	1,214,968
KM logo	1,053,067

TRADEMARK
REFL: 1503 FRAME: 0133

TRADEMARK
REEL: 1728 FRAME: 0971



Mark	Registration Number
KMART	1,787,999
KMART	1,789,378
KMART	1,847,847
KMART	1,788,205
KMART	1,784,233
KMART	1,788,204
KMART (1962 Logo)	783,902
KMART (1962 Logo)	791,329
KMART (1990 Logo) - in red with bars	1,832,984
KMART (1990 Logo)	1,684,419
KMART (1990 Logo)	1,710,545
KMART (1990 Logo)	1,780,838
KMART (1990 Logo) - red	1,695,014
KMART (1990 Logo) - white	1,710,546
KMART (1990 Logo) - with bars	1,852,712
KMART (3DK Logo Box Color)	884,767
KMART (3DK Logo Box Color)	885,231
KMART (3DK Logo Box Color)	886,211
KMART (3DK Logo Box Color)	886,689
KMART (3DK Logo Box Color)	888,198
KMART (3DK Logo Box Color)	791,329
KMART (3DK Logo Box Color)	884,353
KMART (3DK Logo Box)	817,224
KMART (3DK Logo Box)	838,174
KMART (3DK Logo Box)	835,958
KMART (3DK Logo Box)	833,740
KMART (3DK Logo Box)	845,181
KMART (3DK Logo Box)	807,532
KMART (3DK Logo Box)	831,214
KMART (3DK Logo Box)	813,610

TRADEMARK
REEL: 1503 FRAME: 0134

TRADEMARK
REEL: 1728 FRAME: 0972



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Mark	Registration Number
KMART (3DK Logo Box)	811,045
KMART (3DK Logo Box)	808,543
KMART (3DK Logo Box)	879,142
KMART (3DK Logo Box)	807,700
KMART (3DK Logo Box)	803,473
KMART (3DK Logo Box)	805,411
KMART (3DK Logo Box)	805,590
KMART (3DK Logo Box)	823,128
KMART (3DK Logo Box)	886,126
KMART (3DK Logo Box)	803,409
KMART (3DK Logo Box)	817,528
KMART (3DK Logo Box)	887,427
KMART (3DK Logo Box)	888,176
KMART (3DK Logo Box)	905,187
KMART (3DK Logo Box)	921,148
KMART (3DK Logo Box)	935,860
KMART (3DK Logo Box)	995,468
KMART (3DK Logo Box)	859,960
KMART (3DK Logo Box)	856,164
KMART (3DK Logo Box)	885,177
KMART (3DK Logo Box)	882,352
KMART (3DK Logo Box)	881,801
KMART (3DK Logo Box)	879,466
KMART (3DK Logo Box)	876,343
KMART (3DK Logo Box)	875,625
KMART (3DK Logo Box)	861,317
KMART (3DK Logo Box)	951,664
KMART (3DK Logo Box)	867,864
KMART (3DK Logo Box)	867,335
KMART (3DK Logo Box)	799,941

TRADEMARK
REEL: 1503 FRAME: 0135

TRADEMARK
REEL: 1728 FRAME: 0973



<u>Mark</u>	<u>Registration Number</u>
KMART (3DK Logo Box)	890,618
KMART AMERICA'S PAINT STORE and design	1,795,379
KMART KIDPROOF POLICY	1,910,605
KMART LOVES KIDS (AND PARENTS TOO!)	1,825,475
KMART LUBE PLUS	1,829,609
KMART PHARMANCY and design	1,750,652
KMART PHOTO CENTER and design	1,565,096
KMART VALUE PLUS	1,828,681
KMC KOOL	1,648,522
KNIGHTS BRIDGE	1,516,436
KNIGHTSBRIDGE	1,508,211
KNICHTSBRIDGE	1,686,525
KOLOR MATCH stylized	1,176,275
KRESGE	1,123,515
LITTLE MIRACLES	1,534,440
LITTLE ONE	806,400
LITTLE ONES	1,653,420
MAC	1,161,156
MARCO ISLAND	1,678,102
MEDALLION	792,924
MIDNIGHT MOVES	1,148,456
MINI MAX	1,116,130
MISTY WEATHER	1,828,364
MOON RACER	1,658,694
MOTORVATOR	1,274,943
MOTORVATOR	1,861,578
MOTORVATOR (stylized)	1,479,229
MOTORVATOR stylized	1,479,228
MOTORVATOR stylized	1,479,230
MYSTIC BLUES	1,493,260

TRADEMARK
REEL: 1503 FRAME: 0136

TRADEMARK
REEL: 1728 FRAME: 0974



Mark	Registration Number
NEW DEPARTURES	1,334,433
NOAH'S ARK	1,384,435
NORTHWEST TERRITORY	1,770,115
NORTHWEST TERRITORY	1,324,684
NUTRICHoice	1,839,062
NUTS 'N BOLTS	1,403,225
OCEAN SIDE	1,198,936
OCEAN SIDE	1,585,807
OCEAN SIDE	1,198,936
OCEANSIDE	1,673,874
OCEANSIDE and design	1,508,213
OFFICE SELECT	1,955,434
ONE STORE, ONE STOP, ONE GREAT IDEA!	1,834,106
ORAL PURE	1,860,624
PATH TO EXCELLENCE and design	1,615,705
PERFORMER	1,834,181
PERFORMER	1,114,324
PLAYSTUFF	1,301,845
POLY-PURE	1,663,469
PRIVATE CLUB	1,812,718
PRIVATE CLUB	1,752,141
PRIVATE CLUB	1,342,806
PRO STRIKE	1,852,498
READER'S MARKET	1,352,217
RELIEF PLUS	1,771,029
RELIEF PLUS	1,566,727
RELIEF PLUS	1,912,069
RELIEF PLUS stylized	1,567,948
ROAD RIDER	1,654,279
ROYAL DESIGN	1,781,539

TRADEMARK
REEL: 1503 FRAME: 0137

TRADEMARK
REEL: 1728 FRAME: 0975



Mark	Registration Number
S.S. KRESGE	1,127,328
SAFE PASSAGE	1,360,766
SAHARA CLASSICS	1,792,628
SANTA'S CLUB	1,533,303
SAUCATUCK DRY GOODS COMPANY LTD.	1,306,080
SENTRESS	1,600,322
SEPERATE ISSUE	1,785,655
SHEER INTRIGUE	1,613,004
SIGN OF A PARTY	1,645,385
SIMPLE ADDITION	1,780,393
SKI SLOPE	1,533,302
SLEEPY DREAMS	1,559,974
SMALL HANDS	1,849,964
SOFTRESS	1,692,967
SOFTRESS	1,687,136
SOLACE	1,629,757
SOLACE	1,795,529
SOLACE	1,742,643
SPORTFISHER	1,293,020
SSK logo	950,595
SSK logo	847,759
STAR FISH	1,533,307
STEEP SLOPE	1,342,807
STEEPLECHASE	978,224
STEEPLECHASE	1,522,683
STERLING CREATIONS	1,688,984
STELING MANOR	1,922,080
STOR-FRESH	1,760,683
STOR-FRESH	1,831,329
SUMMER GARDEN	1,954,299

TRADEMARK
REEL: 1503 FRAME: 0138

TRADEMARK
REEL: 1728 FRAME: 0976

<u>Mark</u>	<u>Registration Number</u>
SUPER KMART CENTER	1,821,826
TAKE AIM	1,658,695
THE BODY CO.	1,961,232
THE FRESH LOOK	1,115,105
THE GIVING TREE	1,826,607
THE MERRY GIFTS OF CHRISTMAS	1,831,772
THE QUALITY YOU NEED, THE LOW PRICE YOU WANT	1,825,624
THE SAVING PLACE	1,163,190
THE STUDIO PRESS	1,658,203
TODAYS NEWS	1,807,672
TODAYSNEWS	1,660,381
TOMORROW'S GENERATION	1,497,835
TOT TRENDS	1,535,433
TOUCH GEAR	1,390,862
TOY MANIA	1,947,690
TRAVWAY	1,006,892
TRIM A HOME	1,764,356
TRIPLE PLAY stylized	1,183,026
TROPICAL HORIZON	1,887,246
TRU-BURN	1,728,505
TRU-BURN	1,646,483
TRU-BURN	1,427,129
TRU-BURN	1,769,629
TRU-BURN	1,646,491
TRU-BURN and design	1,370,823
TUMBLE TOGS	1,538,252
ULTRA GIFTS & AWARDS	1,647,368
USACCESSORIES	1,250,487
VIDEO ACCENTS	1,715,333
VITA-SMART	1,757,532

TRADEMARK
REEL: 1503 FRAME: 0139

TRADEMARK
REEL: 1728 FRAME: 0977



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Mark	Registration Number
WARM 'N COZY	1,398,588
WASTE MANAGEMENT BAGS and design	1,770,012
WAVE CASTLE	1,877,300
WEATHERED BLUES	1,857,749
WEATHERRIGHT	1,757,870
WEDGEFIELD	959,316
WEDGEFIELD	957,465
WEDGEFIELD	953,057
WEDGEFIELD	941,986
WENTWORTH GALLERY	1,871,406
WESTSIDE CONNECTION	1,899,005
WILL-START	1,098,613
WINTER'S DREAM	1,342,828

TRADEMARK
REEL: 1503 FRAME: 0140

TRADEMARK
REEL: 1728 FRAME: 0978

U.S. Trademarks - Builders Square, Inc.

Mark	Registration Number
B & Design	1,789,802
BUILDERS SQUARE	1,395,292
BUILDERS SQUARE II	1,831,723
ECO-TIPS	74/455,990
FOREVER FAN	1,773,560
LA PLAZA DEL HOGAR	74/369,611
OFFICE SQUARE	1,554,186
OFFICE SQUARE & DESIGN	1,548,723
OFFICE SQUARE HOME & OFFICE SUPPLY WAREHOUSE & Design	1,548,722
PROFESSIONAL INSTALL LOGO	1,617,972
THE PAINT SHOP	74/365,780

RECORDED: 09/16/1996

TRADEMARK
REEL: 1503 FRAME: 0141TRADEMARK
REEL: 1728 FRAME: 0979

RELEASE

(TRADEMARKS)

THIS RELEASE (TRADEMARKS) is given as of this ^H16 day of April, 1998 by U.S. Bank Trust National Association, a national banking association, formerly known as First Trust of New York, and Ward A. Spooner, an individual U.S. citizen, both located at 100 Wall Street, Suite 1600, New York, New York 10005 (together, "Assignor"), to K Mart Corporation, a Michigan corporation, Builders Square, Inc., a Delaware corporation, both located at 3100 West Big Beaver Road, Troy, Michigan ~~48064~~⁴⁸⁰⁶⁴-2902, and the other Grantors who were party to the Security Agreement dated as of June 17, 1996 (collectively, "Assignee"), as follows:

WHEREAS, Assignee and Assignor entered into a Security Agreement, dated as of June 17, 1996 (the "Security Agreement"), pursuant to which Assignee granted to Assignor a security interest in all of Assignee's right, title and interest in, to and under certain Security (as defined therein) including, but not limited to, the trademarks and trademark applications and registrations set forth in Exhibit A hereto (the "Trademarks"), which Security Agreement was duly recorded in the United States Patent and Trademark Office at Reel 1503, Frames 0121, et seq. on September 16, 1996;

WHEREAS, Assignee has fully satisfied all its obligations in the Security Agreement, and Assignor desires to release its security interests in and liens upon the Trademarks;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby releases its security interest in the Trademarks and reassigns any and all interest it may have in such Trademarks under the Security Agreement to Assignee.

IN WITNESS WHEREOF, Assignor has caused this RELEASE
(TRADEMARKS) to be duly executed by its officer thereunto duly authorized as of
this 16th day of April, 1998.

U.S. BANK NATIONAL ASSOCIATION,
(formerly known as First Trust of New York)

By: William Baldasare
Name: WILLIAM BALDASARE
Title: Trust Officer

WARD A. SPOONER

Ward Spooner

COUNTY OF NEW YORK)

WILLIAM BALDASARE known to me to be the individual who executed the foregoing instrument and acknowledged to me that he/she executed the same as the duly authorized officer of U.S. Bank National Association.

11/3/99

Notary JANET D. O'HARA York
Notary F ab New York
Qualification 7544 City
Commission Expires Nov. 3, 1995 County York
Commission Expires Nov. 3, 1995

COUNTY OF NEW YORK)

On this 16 day of April, 1998, before me personally appeared Ward
own to me to be the individual who executed the foregoing instrument.

11/3/99

Notary Public

Commission Expires Nov. 3, 1971