

11-17-1998



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11-10-98

RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

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 # _____

Corrective Document
Reel # _____ Frame # _____

Conveyance Type

Assignment License

Security Agreement Nunc Pro Tunc Assignment

Merger
Effective Date
Month Day Year _____

Change of Name

Other _____

Conveying Party

Mark if additional names of conveying parties attached

Name Execution Date
Month Day Year

Formerly

Individual General Partnership Limited Partnership Corporation Association

Other

Citizenship/State of Incorporation/Organization

Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)
City State/Country Zip Code

Individual General Partnership Limited Partnership If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)

Corporation Association

Other

Citizenship/State of Incorporation/Organization

FOR OFFICE USE ONLY

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Mail documents to be recorded with required cover sheet(s) information to:
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TRADEMARK
REEL: 1814 FRAME: 0329

11/17/1998 JMT/KLS
400018 7465300
FC-461

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Correspondent Name and Address

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

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

#

Trademark Application Number(s) or Registration Number(s)

Mark if additional numbers attached

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

Trademark Application Number(s)

Registration Number(s)

Number of Properties Enter the total number of properties involved.

#

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

\$

Method of Payment: Enclosed Deposit Account

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.

Michael J. MacDermott, Esq.

Michael J. MacDermott
Signature

October 30, 1998

Name of Person Signing

Date Signed

ASSIGNMENT

WHEREAS, American Stores Company, a corporation organized under the laws of the State of Delaware, is the owner of the trademark SIMPLY CLEAN, including United States Application Serial No. 74/653,040;

WHEREAS, SUNSHINE MAKERS, INC., a California corporation, seeks to acquire said mark, including the application to register the mark (the "Mark") and the goodwill pertaining thereto;

WHEREAS, on April 9, 1998, American Stores Company filed a Statement of Use with the United States Patent and Trademark Office ("PTO") in connection with the Mark; and

WHEREAS, on June 4, 1998, the PTO accepted the Statement of Use filed by American Stores Company for the Mark, thereby converting Application Serial No. 74/653,040 from an Intent to Use application to a use-based application;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, American Stores Company does hereby assign unto SUNSHINE MAKERS, INC. all right, title and interest in and to the Mark, together with the goodwill of the business symbolized by the Mark and the above-identified application therefor, and the right to sue for any past infringement of the Mark by third parties. As of the date of execution of this assignment, AMERICAN STORES COMPANY hereby reaffirms the REPRESENTATIONS AND WARRANTIES as set forth in the SETTLEMENT AGREEMENT, entered into as of September 16, 1997.

AMERICAN STORES COMPANY

By: 

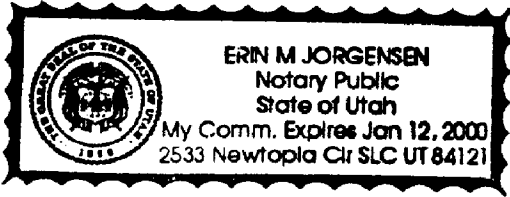
Name: Lawrence A. Metz 

Title: Senior Vice President and Deputy General Counsel

State of Utah)
)
County of Salt Lake)

On this 15th day of June, 1998, before me, Erin M. Jorgensen, a Notary Public, personally appeared **Lawrence A. Metz**, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Erin M. Jorgensen
Notary Public