

12-04-1998

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FORM PTO-1594

(Rev. 6-93)

OMB No. 0651-0011 (exp. 4/94)

RE

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Tab settings ⇌⇌⇌▽

100914036

▽ Atty. Docket No: NBK-835 ▽

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Falcon Shoe Mfg. Co.

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

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

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: August 31, 1998

2. Name and address of receiving party(ies)

Name: New Balance Athletic Shoe, Inc.

Internal Address: _____

Street Address: 61 North Beacon StreetCity: Boston State: MA ZIP: 02134-1912

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

895,088

740,975

Additional numbers attached? ☒ Yes ☐ No

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

Name: Jeremiah Lynch, Esq.Internal Address: Lahive & Cockfield, LLPStreet Address: 28 State StreetCity: Boston State: MA ZIP: 02109

6. Total number of applications and registrations involved:

9

7. Total fee (37 CFR 3.41).....\$ \$240☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number:

12-0080

12/04/1998 INQUIRY 00000005 095000

DO NOT USE THIS SPACE

01 FC:401 40.00 OP
02 FC:402 200.00 OP

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.

Jeremiah Lynch, Esq.

Name of Person Signing

Jeremiah Lynch

Signature

November 24, 1998

Date

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

5

Mail documents to be recorded with required cover sheet information to:
 Commissioner of Patents and Trademarks, Box Assignments
 Washington, D.C. 20231

TRADEMARK
 REEL: 1822 FRAME: 0159

Continuation of Form PTO-1594

4.B. Trademark Registration No.(s):

973,456
1,119,327
1,110 565
419,794
1,437,386
993,107
1,855,821

ASSIGNMENT OF U.S. AND STATE TRADEMARKS

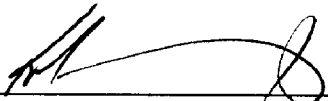
WHEREAS, FALCON SHOE MFG. CO., a Maine corporation, having a place of business of 2 Cedar Street, Lewiston, Maine 04240 ("Falcon"), has adopted and uses in its business and is the owner of the trademarks listed on Schedule A attached hereto and made a part hereof (collectively the "Marks"), and is the owner of the registrations for the Marks; and

WHEREAS, pursuant to the terms of an Asset Purchase Agreement of even date herewith among Falcon, New Balance Athletic Shoe, Inc., a Massachusetts corporation, having a place of business of 61 North Beacon Street, Boston, Massachusetts 02134-1912 ("NBAS") and other parties, NBAS is desirous of acquiring all rights in the Marks and said registrations from Falcon.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Falcon by these presents does hereby sell, assign and transfer unto NBAS, its successors and assigns, the entire right, title and interest of Falcon in and to the Marks and said registrations, together with the goodwill of the business in connection with which the Marks are used, including all rights and claims for damages and benefits arising because of past infringement of the Marks.

IN WITNESS WHEREOF, Falcon and NBAS have caused this instrument to be signed at Boston, Massachusetts by their duly authorized corporate officers and their corporate seals to be effective as of this 31 day of August, 1998.

FALCON SHOE MFG. CO.

By: 

Name: K. A. McDonough

Title: Vice President

Date: 8/31/98

NEW BALANCE ATHLETIC SHOE, INC.

By: 

Name: J. Cardno

Title: Vice President

Date: 8/31/98

COUNTY OF SUFFOLK)

On this 31st day of August, 1998, before me, a notary public, personally appeared the above signed officer of Falcon Shoe Mfg. Co., Keith A. McDonough, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

Bernadette A. Wilson
Notary Public

BERNADETTE A. DESROSIERS
A Notary Public of Mass.
My Commission Expires May 15, 2003

COUNTY OF SUFFOLK)

On this 31st day of August, 1998, before me, a notary public, personally appeared the above signed officer of New Balance Athletic Shoe, Inc., John E. Gardner, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereto set my hand and official seal.

Brooktha Rosen
Notary Public

BERNADETTE A. DESROSIERS
A Notary Public of Mass.
My Commission Expires May 15, 2003

DOCSC\664538.1

TRADEMARK
REEL: 1822 FRAME: 0162

SCHEDULE A

U.S. Trademark Registrations

<u>Trademark</u>	<u>Registration No.</u>	<u>Registration Date</u>
DUNHAM	895,088	7/21/70
DUNHAM TYROLEANS	740,975	11/20/62
DUNHAM WAFFLE-STOMPERS	973,456	11/20/73
GREAT FOOTWEAR FOR THE GREAT OUTDOORS	1,119,327	5/29/79
THE WAY OF NATURE. . . THRU THE HANDS OF MAN	1,110,565	1/2/79
RUGGARDS (Stylized)	419,794	3/5/46
TRU-TRAK	1,437,386	4/21/87
TRUKKERS	993,107	9/10/74
DUNHAM DOUBLE COVERAGE TOES & DESIGN	1,855,821	9/27/94

State Registration

<u>Trademark</u>	<u>State</u>	<u>Registration No.</u>	<u>Registration Date</u>
DUNHAM	Vermont	4,553	3/29/73