

R

12-24-1998



100929215

COVER SHEET ONLY

U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office

Tab settings

To the Honorable Commissioner

the attached original documents or copy thereof.

1. Name of conveying party(ies):

Wataru Kimura

MAD 12-17-98

- Individual(s) [checked] Association [] General Partnership [] Corporation-State [] Other []

Additional name(s) of conveying party(ies) attached? [] Yes [checked] No

3. Nature of conveyance:

- Assignment [checked] Merger [] Security Agreement [] Change of Name [] Other []

Execution Date: December 11, 1998

2. Name and address of receiving party(ies)

Name: Intermix, Inc.

Internal Address:

Street Address: 125 Fifth Avenue

City: New York State: NY ZIP: 10003

- Individual(s) citizenship [] Association [] General Partnership [] Limited Partnership [] Corporation-State New York [checked] 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 [checked] No

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

1,935,678

Additional numbers attached? [] Yes [checked] No

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

Name: Evan H. Katz, Esq.

Internal Address: Kane Kessler, P.C.

Street Address: 1350 Avenue of the Americas

City: New York State: NY ZIP: 10019

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41) \$ 40.00

- Enclosed [checked] 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.

Evan H. Katz

Name of Person Signing

[Signature]

Signature

Dec. 17, 1998

Date

Total number of pages including cover sheet, attachments, and document: 2

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

TRADEMARK REEL: 1826 FRAME: 0994

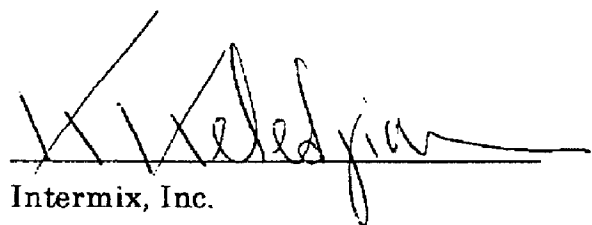
AGREEMENT


WHEREAS Wataru Kimura ("Mr. Kimura"), an individual and citizen of Japan, with an office at 502 Tokuon, 3-7-5 Ebisuminami, Shibuya-ku, Tokyo 150, has adopted and used in the United States the marks "INTER MIX", "INTERMIX", and /or one or more other marks that are substantially similar to one or both of the foregoing marks (all of which marks are collectively referred to herein as the "Marks"), and registered the mark "INTER MIX" on the principal Register in the United States Patent and Trademark Office (registration no.1,935,678, issued November 14, 1995) (the "Registration") ; and

WHEREAS Intermix, Inc. ("Intermix"), a New York corporation with an office at 125 Fifth Avenue, New York, New York 10003, is desirous of acquiring said Marks and Registration:

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Mr. Kimura does hereby assign, transfer, and set over unto Intermix, its successors and assigns, all right, title and interest in and to the Marks in the United States, together with the goodwill appurtenant thereto, and the Registration. Intermix, Inc. (a New York corporation) hereby appoints Mr. Wataru Kimura as its sole and exclusive distributor to sell products which put the trademark of Intermix in Japan and Mr. Wataru Kimura hereby accepts such appointment.

Dated: December 11, 1998.


Intermix, Inc.


Wataru Kimura



D#

KANE KESSLER, P.C.

1350 AVENUE OF THE AMERICAS
NEW YORK, NEW YORK 10019-4896

(212) 541-6222

FAX: (212) 245-3009

NEW JERSEY OFFICE
32 MERCER STREET
HACKENSACK, N. J. 07601-5608
(201) 487-2828
FAX: (201) 487-3776

WRITER'S DIRECT NUMBER
(212)519-5122

IVAN K. BLUMENTHAL
STEVEN E. COHEN
ERICKA DEWEY
ERIC P. EISENSTADT
DAVID HIRSH
MITCHELL D. HOLLANDER†
FAWN M. HORVATH
BRADLEY L. STEERE II
JUDITH A. STOLL
DANA M. SUSMAN†
LAUREN TOPELSOHN†

ALSO ADMITTED
*FLA. BAR
†N.J. BAR
**N.J. AND D.C. BAR

THOMAS A. KANE (1928-1977)
SIDNEY S. KESSLER (1938-1986)

JEFFREY H. DAICHMAN
ERIC P. GONCHAR
ARIS HAIGIAN
S. REID KAHN**
EVAN H. KATZ
ROBERT L. LAWRENCE
JOSEPH NURNBERG
RONALD L. NURNBERG*
JEFFREY A. OPPENHEIM
ARTHUR M. ROSENBERG†
DAVID R. ROTHFELD
JEFFREY S. TULLMAN

ALBERT N. PROUJANSKY*
MICHAEL A. ZIMMERMAN
OF COUNSEL

December 17, 1998

BY EXPRESS MAIL: NO. EM455396732US

U.S. Patent and Trademark Office
Office of Public Records
Crystal Gateway 4, Room 335
Washington, D.C. 20231

Dear Sir/Madam:

Enclosed for recordation please find a trademark assignment from Watura Kimura to Intermix, Inc. (a New York corporation) of Trademark Registration No. 1,935,678, along with a check for \$40.00 for the requisite recordation fee.

Please acknowledge your receipt of this letter and the accompanying enclosures by signing or stamping the enclosed extra copy of this letter and returning it to me in the enclosed stamped, self-addressed envelope.

Thank you for your assistance. If you have any questions concerning this matter, please call me.

Yours truly,

Keith M. Wixson
Legal Assistant

Enclosures

cc: Evan H. Katz, Esq.

#40312.1

RECORDED: 12/17/1998

TRADEMARK
REEL: 1826 FRAME: 0996