

01-25-1999

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

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To the Honorable Commissioner of Patents

100947354

Final documents or copy thereof.

1. Name of conveying party(ies):  
McCalla Company, d/b/a  
Ovation Group

- ☐ Individual(s)  
☐ General Partnership  
☒ Corporation-State Georgia  
☐ 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: 11/16/98

JAN 21 1999

Name and address of receiving party(ies):

Name: Sears, Roebuck and Co.

Internal Address: \_\_\_\_\_

Street Address: 3333 Beverly Road

City: Hoffman State: IL ZIP: 60179

Estates

- ☐ Individual(s) citizenship \_\_\_\_\_  
☐ Association \_\_\_\_\_  
☐ General Partnership \_\_\_\_\_  
☐ Limited Partnership \_\_\_\_\_  
☒ Corporation-State New York  
☐ 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)

75/486,848

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: Nicole M. Sandelin

Internal Address: B6-370A  
Law Department  
Dept. 766X

Street Address: 3333 Beverly Road,  
Hoffman

City: Estates State: IL ZIP: 60179

6. Total number of applications  
and registrations involved: 1

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

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

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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.

Kristen D. Pogensee

Name of Person Signing

Kristen D. Pogensee

Signature

1/13/99

Date

Total number of pages comprising cover sheet:

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20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011).

TRADEMARK

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## TRADEMARK ASSIGNMENT

WHEREAS, McCALLA COMPANY, d/b/a Ovation Group ("ASSIGNOR"), a Georgia(?) corporation, located at 1024 Windward Ridge Parkway, Alpharetta, Georgia 30005, alleging an intent to use in its business the trademark BRITE DRIVER, has filed the following trademark registration application in the United States Patent and Trademark Office:

<u>Trademark</u>	<u>Serial No.</u>	<u>Filing Date</u>
BRITE DRIVER	75/486,848	05/19/98

(hereinafter referred to as the "Trademark Application"); and

WHEREAS, ASSIGNOR has transferred to Sears, Roebuck and Co. ("ASSIGNEE"), a New York corporation, located and doing business at 3333 Beverly Road, Hoffman Estates, Illinois 60179, that portion of its business to which the Trademark Application pertains.

WHEREAS, ASSIGNEE, being the successor to that portion of the business of ASSIGNOR to which the Trademark Application pertains, is desirous of acquiring all right, title and interest in and to the Trademark Application.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, ASSIGNOR hereby sells, assigns and transfers to ASSIGNEE all right, title and interest in and to the Trademark Application, together with the goodwill of the business connected with the use of and symbolized by the Trademark Application.

McCALLA COMPANY, D/B/A OVATION GROUP

By:

Name:

Title:

Date:

[Signature]  
REAGAN McCalla  
PRESIDENT  
11/16/98

STATE OF Georgia )  
COUNTY OF Forsyth ) SS.

On this 16<sup>th</sup> day of November, 1998, before me appeared Garin McCalla, the person who signed this instrument, who acknowledged that (s)he signed it as a free act on behalf of the identified corporation with authority to do so.

Terri D. Miller  
Notary Public

