

12-21-1999



101229176

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

## 1. Name of conveying party(ies):

D 56, Inc.

- ☐ Individuals  
☐ General Partnership  
☒ Corporation—State of Minnesota  
☐ Other:

- ☐ Association  
☐ Limited Partnership

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

## 3. Nature of conveyance:

- ☒ Assignment  
☐ Security Agreement  
☐ Other:

- ☐ Merger  
☐ Change of Name

Execution Date: October 29, 1999

## 2. Name and address of receiving party(ies):

CAN 56, Inc.  
One Village Place  
6436 City West Parkway  
Eden Prairie, Minnesota 55344

- ☐ Individual(s) citizenship  
☐ General Partnership  
☒ Corporation—State of Minnesota  
☐ Other:

- ☐ Association  
☐ Limited Partnership

If assignee is not domiciled in the United States, a domestic representative designation is attached:

☐ Yes ☐ No

(Designations must be separate document from Assignment)

Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 4. Application number(s) or trademark number(s):

## A. Trademark Application No.(s)/ Mark(s)

74/535,398; 74/535,572; 74/ 546,924; 74/722,329;  
75/449,905; 75/450,188; 75/450,199; 75/541,198;  
75/562,029; 75/577,401; 75/581,482; 75/603,739;  
75/623,556; 75/623,557; 75/632,396; 75/632,398; 75/632,845;

## B. Trademark Reg. No.(s)/Mark(s)

1,455,206; 1,456,569; 1,685,357; 1,722,005; 1,736,644;  
1,792,650; 1,814,964; 1,911,439; 1,983,731; 2,016,746; 2,082,842;  
2,090,771; 2,094,027; 2,112,533; 2,118,641; 2,122,612; 2,132,895;  
2,135,307; 2,138,123; 2,156,617; 2,183,239; 2,185,150; 2,270,480;

Additional numbers attached? ☐ Yes ☒ No

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

Name: John S. Sumners  
Address: Merchant & Gould P.C.  
3100 Norwest Center  
90 South Seventh Street  
Minneapolis, MN 55402-4131

## 6. Total number of applications and trademarks involved: 40

7. Total fee (37 CFR 3.41): \$1,015.00  
☒ Enclosed  
☐ Authorized to be charged to deposit account

8. Please charge any additional fees or credit any overpayments to our Deposit account number: 13-2725

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.

John S. Sumners

Name of Person Signing

Signature

December 3, 1999

Date

12/20/1999 DMGUYEN 00000006 74535398

Total number of pages including cover sheet, attachments, and document: 7

01 FC:481  
02 FC:482

40.00 OP  
975.00 OP

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Mail documents to be recorded with required cover sheet information to:

Commissioner for Patents and Trademarks  
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Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of information systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503.

TRADEMARK  
REEL: 002001 FRAME: 0736

# ASSIGNMENT OF U.S. TRADEMARK RIGHTS

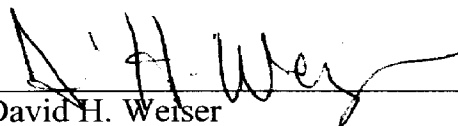
WHEREAS D 56, Inc., a corporation organized and existing under the laws of the state of Minnesota and having a place of business at One Village Place, 6436 City West Parkway, Eden Prairie, Minnesota, 55344, U.S.A., is the owner of rights in the trademarks, U.S. trademark registrations and pending trademark applications as set forth in the attached Exhibit A; and

WHEREAS CAN 56, Inc., a corporation organized and existing under the laws of the state of Minnesota and having a place of business as One Village Place, 6436 City West Parkway, Eden Prairie, Minnesota, 55344, U.S.A., wishes to acquire the trademarks, U.S. trademark registrations and pending trademark applications set forth in Exhibit A;

NOW, THEREFORE, for good and valuable consideration the receipt of which is hereby acknowledged, D 56, Inc. does hereby assign and transfer to CAN 56, Inc., its successors and assigns, the entire right, title and interest in and to the trademarks set forth in Exhibit A, together with the goodwill symbolized by these trademarks, as well as the U.S. trademark registrations and pending trademark applications also set forth in Exhibit A. D 56, Inc. further assigns and transfers to CAN 56, Inc. all claims and causes of action arising from the trademarks of Exhibit A, together with the right to bring actions for past infringements of these trademarks and to collect damages, the intent being to substitute CAN 56, Inc. in place of D 56, Inc.

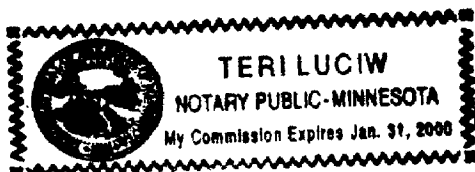
D 56, Inc. further agrees to execute and deliver to CAN 56, Inc. and any all documents, including but not limited to recordable assignments, endorsements or conveyances, and to take such other action as CAN 56 may reasonably request to confirm and perfect the rights of CAN 56, Inc. in and to the trademarks, U.S. trademark registrations and applications of Exhibit A.

D 56, INC.

By:   
David H. Weiser  
Senior Vice President – Legal and  
Human Resources

STATE OF MINNESOTA    )  
  ) ss.  
COUNTY OF                )

On this 29 of Oct, 1999, before me personally appeared to me known and known to me to be the person described in and who executed the foregoing instrument, and being first duly sworn, states that he has authority to sign the above Assignment, both on his own behalf and on behalf of and that he does so of his own free will, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth.



  
Notary Public

# **EXHIBIT A**

## **Can 56, Inc. - United States Trademark Registrations**

<b><u>Mark</u></b>	<b><u>Reg. No.</u></b>	<b><u>Reg. Date</u></b>
ALPINE VILLAGE SERIES	2,183,239	August 25, 1998
CHRISTMAS IN THE CITY (Stylized)	1,685,357	May 5, 1992
DEPARTMENT 56 (Stylized)	1,455,206	September 1, 1987
DEPARTMENT 56	2,094,027	September 9, 1997
DEPARTMENT 56 (Stylized)	1,983,731	July 2, 1996
DEPT 56 (Stylized)	1,456,569	September 8, 1987
DICKENS' VILLAGE SERIES	1,911,439	August 15, 1995
HERITAGE VILLAGE COLLECTION & Design	1,722,005	October 6, 1992
HOMES FOR THE HOLIDAYS START A TRADITION	2,082,842	July 29, 1997
HOMES FOR THE HOLIDAYS START A TRADITION & Design	2,138,123	February 24, 1998
MAGIC SMOKE	2,090,771	August 26, 1997
MERRY MAKERS and Design	1,814,964	January 4, 1994
NEW ENGLAND VILLAGE	1,736,644	December 1, 1992
PROFILES DEPARTMENT 56	2,270,480	August 17, 1999
READY, SET, DECORATE!	2,135,307	February 10, 1998
SNOW VILLAGE (Stylized)	1,792,650	September 14, 1993
SNOWBUNNIES	2,132,895	January 27, 1998
SNOWBUNNIES (Stylized)	2,185,150	August 25, 1998

SPRINGTIME STORIES OF THE SNOWBUNNIES	2,112,533	November 11, 1997
SPRINGTIME STORIES OF THE SNOWBUNNIES (Stylized)	2,016,746	November 19, 1996
STORYBOOK VILLAGE	2,156,617	May 12, 1998
WINTER TALES OF THE SNOWBABIES	2,118,641	December 9, 1997
WINTER TALES OF THE SNOWBABIES (Stylized)	2,122,612	December 23, 1997

**Can 56, Inc. - United States Trademark Applications**

<b><u>Mark</u></b>	<b><u>Ser. No.</u></b>	<b><u>App. Date</u></b>
ELFLAND	75/623556	January 19, 1999
LITERARY CLASSICS	75/632845	February 2, 1999
LITERARY CLASSICS & Design	75/632398	February 2, 1999
ONCE UPON A TIME...IN A FAR OFF WINTRY LAND JACK FROST GREW LONELY AND TOOK THE TASK TO HAND. HE USED HIS MAGIC POWERS AND SMILED WHEN HE WAS THROUGH. FOR WHAT HE'D MADE WERE SNOWBABIES A JOY FOR ME AND YOU. ON TINY SLEDS THEY SLIDE DOWN ICY HILLS THEY GO THEY LAUGH AND SING TOGETHER AS THEY FROLIC IN THE SNOW. AND WHILE THEY'RE BUSY PLAYING THROUGHOUT THE FROSTY DAY THEY HOPE THE WINTER SUNSHINE WON'T MELT THEM ALL AWAY.	75/581482	November 2, 1998

PROFILES DEPARTMENT 56 & Design	75/449905	March 13, 1998
REAL GRAY GRAVEL	75/623557	January 19, 1999
SEASONS BAY	75/577401	October 26, 1998
SEASONS BAY & Design	75/632396	February 2, 1999
SILHOUETTE TREASURES	75/603739	December 11, 1998
SNOWBABIES	74/722329	August 29, 1995
SNOWBABIES FRIENDSHIP CLUB	75/450199	March 13, 1998
SNOWBABIES FRIENDSHIP CLUB & Design	75/450188	March 13, 1998
SNOWBABIES THE GUEST COLLECTION	75/562029	September 30, 1998
SNOWBUNNIES	74/535398	June 9, 1994
SNOWBUNNIES (Stylized)	74/535572	June 9, 1994
SPRINGTIME STORIES OF THE SNOWBUNNIES	74/546924	July 6, 1994
WINTER SILHOUETTE	75/541198	August 24, 1998