

RE  
TI

01-06-2000

Docket No.:

318668-000 410



101239448

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*NRD* 12-14-99

To the Honorable Commissioner of Patents &

attached original documents or copy thereof.

1. Name of conveying party(ies):

**Culian Enterprises, Inc.**

- Individual(s)
- General Partnership
- Corporation-State **Missouri**
- Other

- Association
- Limited Partnership

Additional names(s) of conveying party(ies) attached?  Yes  No

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

Name: **Gushner Brothers, Inc.**

Internal Address:

Street Address: **1818 Chestnut Street**

City: **Philadelphia** State: **PA** ZIP: **19103**

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State **Pennsylvania**
- 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

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other
- Merger
- Change of Name

Execution Date: **November 3, 1999**

4. Application number(s) or registration numbers(s):

A. Trademark Application No. (s)

B. Trademark Registration No. (s)

**517,805**

Additional numbers attached?  Yes  No

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

Name: **James R. Meyer**

Internal Address:

**Schnader Harrison Segal & Lewis LLP**

Street Address: **1600 Market Street, Suite 3600**

City: **Philadelphia** State: **PA** ZIP: **19103**

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:

01/06/2000 DWGUYEN 00000016 517805

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40.00 DP

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.

**James R. Meyer**

Name of Person Signing

*James R. Meyer*  
Signature

12/10/99

Date

Total number of pages including cover sheet, attachments, and document: **3**

**CONFIRMATORY ASSIGNMENT OF TRADEMARK**

*CULIAN*

**WHEREAS**, Cullian Enterprises, Inc. a corporation organized under the laws of the Missouri having offices at 1201 Boland Place, St. Louis, MO 63117 (hereinafter referred to as the "Assignor") was the owner of the BOYD'S trademark, which mark is the subject of U.S. Registration No. 517,805 (the "Mark"), having purchased the mark and registration therefor from THE HASTING Group as evidenced by the Order of the Bankruptcy Court attached hereto;

**WHEREAS**, Gushner Brothers, Inc., a corporation organized under the laws of the Commonwealth of Pennsylvania having offices at 1818 (hereinafter referred to as the "Assignee") has acquired the entire right, title and interest in and to the Mark and the registration therefor;

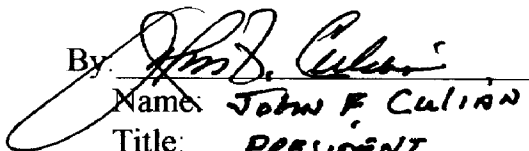
**NOW, THEREFORE**, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor confirms that as of October 31, 1999, it assigned, transferred and set over unto Assignee, its successors and assigns, the entire right, title and interest in and to the Mark, the goodwill of the business in connection with which the Mark is used and symbolized by the Mark, and the right to recover for past infringements of the Mark, to have and to hold the same as fully and completely as the same might have been held by the Assignor had this assignment not been made.

Assignor agrees, at Assignee's expense and request, to take all lawful acts which Assignee may deem advisable or necessary in order to render this assignment fully effective and to register and enforce the rights conveyed hereby.


*CULIAN*

CULLIAN ENTERPRISES INC.

Date: 11/3/99

By:   
Name: JOHN F. CULLIAN  
Title: PRESIDENT

Notary Public

  
ROBERT K SPALDING  
Notary Public - Notary Seal  
STATE OF MISSOURI  
ST. LOUIS COUNTY  
MY COMMISSION EXP. SEPT 23,2000

**Certification Under 37 CFR 1.8**

Date of Deposit December 10, 1999

I hereby certify that the attached paper or fee (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail under 37 CFR 1.8 on the date indicated above and is addressed to the, Assistant Commissioner of Trademarks, Box Assignments, Washington, D.C. 20231.

Diane Thodier

(Name of person mailing)

Diane Thodier

(Signature of person mailing)

James R. Meyer  
Direct Dial: 215-751-2622  
Direct Fax: 215-751-7677  
Internet Address: [James\\_Meyer@shsl.com](mailto:James_Meyer@shsl.com)

December 10, 1999

*Our Ref. No. 318668-000 410US*

Box Assignments  
Assistant Commissioner for Trademarks  
Washington, DC 20231

*Re: Recordal of Confirmatory Assignment of Trademark  
Trademark: BOYD'S  
Registration No. 517,805*

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Dear Sir:

Enclosed for recording is a Confirmatory Assignment of Trademark from Culian Enterprises, Inc. Kindly index this document against Reg. No. 517,805.

Also enclosed is a Recordation Form Cover Sheet (Form PTO-1594) and a check in the amount of \$40.00 representing the recordal fee prescribed by 37 C.F.R. Section 2.6. Please charge any additional fees due, or credit any overpayment to the deposit account of James Albert Drobile No. 04-1655.

Very truly yours,



James R. Meyer

For SCHNADER HARRISON SEGAL & LEWIS LLP

JRM:ncy  
Enclosures