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02-25-2000

FORM PTO-1594

(Rev. 6-93)

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

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U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

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

1. Name of conveying party(ies):  
Phelps Industries, Inc.

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OPR/FINANCE

Name and address of receiving party(ies)

Name: Phelps Industries, LLC

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

Street Address: 122 Quincy Shore Drive

City: Quincy State: MA ZIP: 02171

- Individual(s)
- General Partnership
- Corporation-State: Massachusetts
- Other \_\_\_\_\_
- Association
- Limited Partnership

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

- Individual(s) citizenship \_\_\_\_\_
- Association \_\_\_\_\_
- General Partnership \_\_\_\_\_
- Limited Partnership \_\_\_\_\_
- Corporation-State \_\_\_\_\_
- Other Massachusetts Limited Liability company

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: January 31, 2000

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

1,592,722 and 1,743,436

Additional numbers attached?  Yes  No

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

Name: Thomas V. Smurzynski

Internal Address: Lahive & Cockfield, LLP

Street Address: 28 State Street

City: Boston State: MA ZIP: 02109

6. Total number of applications and registrations involved:

2

7. Total fee (37 CFR 3.41).....\$ 65.00

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

12-0080

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.

Thomas V. Smurzynski

Name of Person Signing

*Thomas V. Smurzynski*  
Signature

2/2/00

Date

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

3

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

Commissioner of Patents and Trademarks, Box Assignments

Washington, D.C. 20231

02/24/2000 DNGUYEN 00000165 1592722

01 FC:481  
02 FC:482

40.00 OP  
25.00 OP

TRADEMARK  
REEL: 002025 FRAME: 0855



**TRADEMARK ASSIGNMENT**

Phelps Industries, Inc. ("Assignor"), is the owner of the trade marks and the trade mark registrations listed in the attached Schedule A (the "Trademarks"), and all goodwill associated with such Trademarks.

Phelps Industries, LLC, a Massachusetts limited liability company ("Assignee") having a place of business at 122 Quincy Shore Drive, Quincy, MA 02171, is desirous of acquiring title in and to the Trademarks, together with the goodwill of the business symbolized by the Trademarks and all rights to any applications for registration of any of the Trademarks.

For good and valuable consideration, receipt of which is acknowledged, Assignor sells, transfers and assigns to Assignee, its successors and assigns, Assignor's entire right, title and interest in and to the Trademarks, together with the goodwill of the business symbolized by the Trademarks, all rights to any application for registration of the Trademarks and all rights to sue for any past and future infringements of the Trademarks.

Upon request of Assignee, its successor or assigns, Assignor agrees to cooperate with Assignee, its successors and assigns, and to execute and deliver without further compensation all instruments or documents necessary or desirable to secure to Assignee, its successors and assigns, full enjoyment of the rights and properties conveyed by this Trademark Assignment, in the United States and in any foreign country.

IN WITNESS WHEREOF, Assignor has executed this Trademark Assignment this 31<sup>st</sup> day of January, 2000

PHELPS INDUSTRIES, INC  
By: *Vincent P. Kelly*  
President

COMMONWEALTH OF MASSACHUSETTS) )SS  
COUNTY OF NORFOLK )

Subscribed and sworn before me this 31<sup>st</sup> day of January 2000

*Kathleen M. Healy*  
Notary Public  
My Commission Expires: *7/1/05*

# Schedule A

Mark

United States Patent Office  
Registration Number

Glad Wags

1,743,436

Plink

1,592,722