

04-18-2000



101323899

Tab settings

MLO
3-17-00

D

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

1. Name of conveying party(ies):

Olsten Service Corp.

03-17-2000

U.S. Patent & TMO/c/TM Mail Rpt Dt. #26

Name and address of receiving party(ies)

Name: OHS Service Corp.

Internal Address:

Street Address: 175 Broad Hollow Road

City: Melville State: NY ZIP: 11747

- Individual(s)
- General Partnership
- Corporation-State -Texas
- Other

- Association
- Limited Partnership

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

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

Effective Date: February 26, 2000

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

A. Trademark Application No.(s)

75/271,902
75/798,659
75/798,614

B. Trademark Registration No.(s)

see attached

Additional numbers attached? Yes No

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

Name: Kathy Silberthau Strom, Esq.

Internal Address:

Street Address: Cahill Gordon & Reindel

1990 K Street, N.W., Suite 950

City: Washington State: D.C. ZIP: 20006

6. Total number of applications and registrations involved: 15

7. Total fee (37 CFR 3.41).....\$ 390.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

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

04/17/2000 DC0ATES 00000114 75271902

DO NOT USE THIS SPACE

01 FC-401 40.00 DP
02 FC-402 350.00 DP

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.

Kathy Silberthau Strom
Name of Person Signing

Kathy Silberthau Strom
Signature

3-17-00
Date

6

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

ATTACHMENT TO RECORDATION COVER SHEET

Response to Question 4B

<u>MARK</u>	<u>TRADEMARK REGISTRATION NO.</u>
1-800-66 N.U.R.S.E.	2,261,757
1-800-HOME NOW	2,233,167
ALPHA AND DESIGN	1,151,313
HEALTH CARE TRAVELLERS	1,363,903
KIMBERLY	1,290,486
KIMBERLY HOME HEALTH CARE & DESIGN	1,295,096
KIMBERLY NURSES AND DESIGN	1,293,413
MAKE THE SURE CALL	2,261,758
QMC	1,837,451
QUALITY CARE	1,109,768
REHAB WITHOUT WALLS	1,722,858
RWW	1,841,527

SCHEDULE A

<u>MARK</u>	<u>COUNTRY</u>	<u>REG'N/ APPN NO.</u>	<u>CLASSES</u>
HEALTHABILITY	Canada	TMA468763	N/A
APTITUDESANTE	Canada	TMA472915	N/A
1-800-66 N.U.R.S.E.	United States	2261757	42, 35, 36, 41
1-800-HOME NOW	United States	2233167	42, 35, 36, 41
ALPHA AND DESIGN	United States	1151313	42
H.E.A.T.	United States	SN 75/271902	42
HEALTH CARE TRAVELLERS	United States	1363903	42
KIMBERLY	United States	1290486	42
KIMBERLY HOME HEALTH CARE & DESIGN	United States	1295096	42
KIMBERLY NURSES AND DESIGN	United States	1293413	42
MAKE THE SURE CALL	United States	2261758	42, 35, 36, 41
QMC	United States	1837451	35
QUALITY CARE	United States	1109768	42
REHAB WITHOUT WALLS	United States	1722858	42
RWW	United States	1841527	42
PROFESSIONAL NURSING SERVICES	Canada	TMA405787	N/A
Q QUALITY CARE AND DESIGN	Canada	TMA250257	N/A
Q NURSE DESIGN	Canada	TMA250213	N/A
CARE YOU CAN COUNT ON	United States	75/798,659	5, 10, 12, 16

<u>MARK</u>	<u>COUNTRY</u>	<u>REG'N/ APPN NO.</u>	<u>CLASSES</u>
CARE YOU CAN COUNT ON	United States	75/798,614	36, 41, 42
CARE YOU CAN COUNT ON	Canada	Pending	

ASSIGNMENT

WHEREAS Olsten Service Corp., a Texas corporation, located at 175 Broad Hollow Road, Melville, New York 11747 ("Assignor"), is the owner of certain service marks, trademarks and trade names, and various registrations and applications for registration directed to such marks;

WHEREAS OHS Service Corp., a Texas corporation, located at 175 Broad Hollow Road, Melville, New York 11747 ("Assignee"), desires to own such service marks, trademarks, trade names, registrations and applications as aforesaid;

WHEREAS, pursuant to the Separation Agreement dated August 17, 1999 (as amended to the date hereof, the "Separation Agreement") by and among Olsten Corporation, a Delaware corporation and the parent corporation of Assignor, Adecco SA, a société anonyme organized under the laws of Switzerland and Gentiva Health Services, Inc., a Delaware corporation (formerly known as Aaranco Corp.) and the parent corporation of the Assignee ("Gentiva"), Olsten has consented and agreed to assigning to Assignee all right, title and interest in and to such marks, names, registrations and applications as aforesaid together with the good will of the business symbolized thereby; and

WHEREAS Assignee is acquiring the entire business or portion thereof to which the marks, names, registrations and applications pertain as required by 15 U.S.C. § 1060;

NOW, THEREFORE, for good and valuable consideration, receipt and sufficiency of which are hereby acknowledged:

Effective upon February 26, 2000, unless such other date is mutually agreed upon by the parties hereto, Assignor hereby unconditionally and in perpetuity assigns, transfers and sets over to and unto Assignee, Assignor's entire right, title and interest in and to each trademark, service mark, and trade name ("Mark/Name") identified on Schedule A attached hereto and made a part hereof, along with any registrations thereof and applications for such registrations, together with the entire goodwill of the business symbolized by the Marks/Names, the same to be held and enjoyed by the Assignee, its successors and assigns, as fully and completely as by the Assignor had this assignment not been made.

The Assignor undertakes and agrees to execute such further assurances that are commercially reasonable and as may reasonably be required in order to permit the Assignee to hold and enjoy the Marks/Names assigned hereunder.

OLSTEN SERVICE CORP.

By: 

Name:

Title:

ACCEPTED AND AGREED,

OHS SERVICE CORP.

By: 

Name:

Title: