

03/21/00

FORM PTO-104 (Modified)
Revised 9/93
OML 0651-0011 (exp 4/94)
Copyright 1994-97 LegalStar
TM05/REV03

RECORDATI
TRADE

04-24-2000

Docket No.:



Tab settings

To the Honorable Commissioner of Patents and Trademarks

101332484

all documents or copy thereof

1. Name of conveying party(ies):
Empire Manufacturing Co. **2000 MAR 27 AM 9:46**

OPR/FINANCE

- Individual(s)
- General Partnership
- Corporation-State **Kansas**
- Other
- Association
- Limited Partnership

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

3. Nature of conveyance:
- Assignment
 - Security Agreement
 - Other **corrected assignment transmittal sheet**
 - Merger
 - Change of Name

Execution Date: **July 18, 1997**

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

Name: _____

Internal Address: **Empire Candle, Inc.**

Street Address: **2925 Fairfax Trafficway**

City: **Kansas City** State: **KS** ZIP: **66115**

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

If assignee is not domiciled in the United States, a domestic designation is Yes No

(Designations must be a separate document from Additional name(s) & address(es) Yes No

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

A. Trademark Application No.(s)

75/134,160 75/134,451

B. Trademark Registration No.(s)

1,950,169 2,157,481

Additional numbers Yes No

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

Name: **Thomas H. Van Hoozer**

Internal Address: **Hovey, Williams, Timmons & Collins**

Street Address: **2405 Grand Boulevard, Suite 400**

City: **Kansas City** State: **MO** ZIP: **64108**

6. Total number of applications and registrations involved: **4**

7. Total fee (37 CFR 3.41): \$ **\$115.00**

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

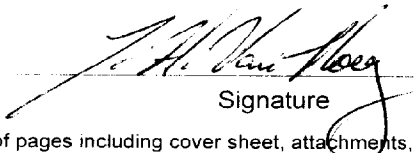
19-0522

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 H. Van Hoozer
Name of Person Signing



Signature

03/21/00
Date

Total number of pages including cover sheet, attachments, and **4**

04/24/2000 DNGUYEN 0000007 75134160

01 FC:481

01 FC 452

(40.00 OP)

75.00 OP

481

482

09-09-1997



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FORM PTO-1594 (Modified)
(Rev. 6-93)
OMB No. 0651-0011 (exp 4/94)
Copyright 1994-97 LegalStar
TM05/REV02

RECORDATION FORM COVER SHEET

TRADEMARKS ONLY

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

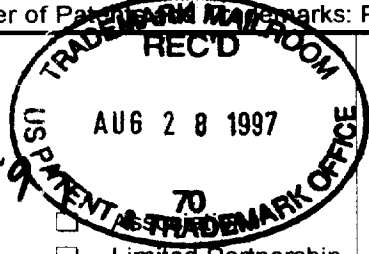
1. Name of conveying party(ies):
Empire Manufacturing, Inc.
MRD 5-28-97

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

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

3. Nature of conveyance
 Assignment
 Security Agreement
 Other

Execution Date: **July 18, 1997**



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

Name: **Empire Candle, Inc.**
Internal Address: _____
Street Address: **2101 Broadway**
City: **Kansas City** State: **MO** ZIP: **64108**

Individual(s) citizenship
 Association
 General Partnership
 Limited Partnership
 Corporation-State **Kansas**
 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 numbers(s):

A. Trademark Application No.(s)
75/134,160 75/134,451 75/135,110

Additional numbers attached? Yes No

B. Trademark Registration No.(s)
1,950,169

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

Name: **Thomas H. Van Hoozer**
Internal Address: **Hovey, Williams, Timmons & Collins**
Street Address: **2405 Grand Boulevard, Suite 400**
City: **Kansas City** State: **MO** ZIP: **64108**

6. Total number of applications and registrations involved: **4**

7. Total fee (37 CFR 3.41): \$ **160.00**
 Enclosed
 Authorized to be charged to deposit account

8. Deposit account number:
19-0522

09/08/1997 NSHBAZZ 00000070 75134160
01 FC:481 40.00 OP
02 FC:482 75.00 OP

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 H. Van Hoozer *[Signature]* **08/25/97**
Name of Person Signing Signature Date

ASSIGNMENT

WHEREAS, Empire Manufacturing Co., a Kansas corporation having its principal place of business at 2101 Broadway, Kansas City, Missouri 64108 ("Assignor") is the owner of the trademark HEARTHLIGHT, which is the subject of U.S. Certificate of Trademark Registration No. 1,950,169 and intends-to-use the trademarks QUALITY HILL, REVERIE, and has filed, with the United States Patent and Trademark Office, respective applications for registration of said trademarks as follows: QUALITY HILL, Application No. 75/135,110, filed July 16, 1996; HARMONY, Application No. 75/134,160, filed July 15, 1996; and REVERIE, Application No. 75/134,451, filed July 15, 1996, based upon the bona fide intent of Assignor to use such marks in commerce, but has not as yet filed an allegation of use of said mark under Section 1(c) or 1(d) of the Trademark Law; and

WHEREAS, Assignor, by this document, is assigning said marks in the above-identified registrations and applications for registration thereof to a successor of the entire business of Assignor to which said marks pertain, as required by 15 U.S.C. §1060; and

WHEREAS, Empire Candle, Inc., a Kansas corporation having its principal place of business at 2101 Broadway, Kansas City, Missouri 64108 ("Assignee"), the successor to the ongoing and existing business or portion thereof of Assignor, to which the above-identified marks pertain, is desirous of acquiring said marks in the pending intent-to-use applications for registration thereof; and

WHEREAS, Assignor further warrants that it is the lawful owner of the above-identified marks and the applications for registration thereof, and that it has full right and

authority to make this Assignment thereof; and that there are no other assignments of rights or licenses granted with respect to said marks;

NOW, THEREFORE, for good and valuable consideration, Assignor hereby assigns to Assignee, the following marks, the Certificate of Registration thereof, and the applications for registration thereof, together with the goodwill of the business which is or may be symbolized with the mark with the understanding that, by this Assignment, Assignee succeeds to all ongoing and existing business of Assignor to which the following marks pertain and, by its execution of this Assignment, Assignee assumes all liabilities in connection with the marks, including, but without limitation thereto, the further prosecution of the following identified applications for registration thereof:

<u>Registered Marks:</u>	<u>Reg. No.</u>	<u>Issue Date</u>
HEARTH LIGHT	1,950,169	January 23, 1996
<u>Pending ITU App.</u>	<u>App. No.</u>	<u>Filing Date</u>
HARMONY	75/134,160	July 15, 1996
REVERIE	75/134,451	July 15, 1996
QUALITY HILL	75/135,110	July 16, 1996

This Assignment shall be effective nunc pro tunc as of February 5, 1997.

This Assignment shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns.

The Commissioner of Patent and Trademarks is requested to issue any Certificate of Registration for the pending applications to Empire Candle, Inc.

EMPIRE MANUFACTURING COMPANY ("Assignor")

Dated: 7-18-97

By *A. Drummond Crews*
A. Drummond Crews, President

EMPIRE CANDLE, INC. ("Assignee")

Dated: 7-18-97

By *A. Drummond Crews*
A. Drummond Crews, Vice President

Subscribed and sworn to before me this 18th day of July, 1997.

Martha V. Strader
Notary Public

My Commission Expires:

12/9/2000

MARTHA V. STRADER
Notary Public - Notary Seal
STATE OF MISSOURI
Clay County
My Commission Expires: Dec 9, 2000

ASSIGNMENT

WHEREAS, Empire Manufacturing Co., a Kansas corporation having its principal place of business at 2101 Broadway, Kansas City, Missouri 64108 ("Assignor") is the owner of the trademark HEARTHLIGHT, which is the subject of U.S. Certificate of Trademark Registration No. 1,950,169 and intends-to-use the trademarks QUALITY HILL, REVERIE, and has filed, with the United States Patent and Trademark Office, respective applications for registration of said trademarks as follows: QUALITY HILL, Application No. 75/135,110, filed July 16, 1996; HARMONY, Application No. 75/134,160, filed July 15, 1996; and REVERIE, Application No. 75/134,451, filed July 15, 1996, based upon the bona fide intent of Assignor to use such marks in commerce, but has not as yet filed an allegation of use of said mark under Section 1(c) or 1(d) of the Trademark Law; and

WHEREAS, Assignor, by this document, is assigning said marks in the above-identified registrations and applications for registration thereof to a successor of the entire business of Assignor to which said marks pertain, as required by 15 U.S.C. §1060; and

WHEREAS, Empire Candle, Inc., a Kansas corporation having its principal place of business at 2101 Broadway, Kansas City, Missouri 64108 ("Assignee"), the successor to the ongoing and existing business or portion thereof of Assignor, to which the above-identified marks pertain, is desirous of acquiring said marks in the pending intent-to-use applications for registration thereof; and

WHEREAS, Assignor further warrants that it is the lawful owner of the above-identified marks and the applications for registration thereof, and that it has full right and

authority to make this Assignment thereof; and that there are no other assignments of rights or licenses granted with respect to said marks;

NOW, THEREFORE, for good and valuable consideration, Assignor hereby assigns to Assignee, the following marks, the Certificate of Registration thereof, and the applications for registration thereof, together with the goodwill of the business which is or may be symbolized with the mark with the understanding that, by this Assignment, Assignee succeeds to all ongoing and existing business of Assignor to which the following marks pertain and by its execution of this Assignment, Assignee assumes all liabilities in connection with the marks, including, but without limitation thereto, the further prosecution of the following identified applications for registration thereof:

<u>Registered Marks:</u>	<u>Reg. No.</u>	<u>Issue Date</u>
HEARTHLIGHT	1,950,169	January 23, 1996
<u>Pending ITU App.</u>	<u>App. No.</u>	<u>Filing Date</u>
HARMONY	75/134,160	July 15, 1996
REVERIE	75/134,451	July 15, 1996
QUALITY HILL	75/135,110	July 16, 1996

This Assignment shall be effective nunc pro tunc as of February 5, 1997.

This Assignment shall be binding upon and inure to the benefit of the parties hereto, their successors and assigns.

The Commissioner of Patent and Trademarks is requested to issue any Certificate of Registration for the pending applications to Empire Candle, Inc.

EMPIRE MANUFACTURING COMPANY ("Assignor")

Dated: 7-18-97

By A. Drummond Crews
A. Drummond Crews, President

EMPIRE CANDLE, INC. ("Assignee")

Dated: 7-18-97

By A. Drummond Crews
A. Drummond Crews, Vice President

Subscribed and sworn to before me this 18th day of July, 1997.

Martha V. Strader
Notary Public

My Commission Expires:

12/31/2000

MARTHA V. STRADER
Notary Public - Notary Seal
STATE OF MISSOURI
Clay County
My Commission Expires: Dec 9, 2000