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## TO THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS

- 1. ATLB Sportswear, Inc. is a corporation organized under and existing by virtue of the laws of the State of New York, located and doing business at 525 Seventh Avenue, 9th Floor, New York, NY.
- 2. **Bennett Cole, Inc.,** is a Corporation duly organized under and existing by virtue of the laws of the State of New York, having its head office and principle place of business at 2301 N.W. 33<sup>rd</sup> Court, Suite 102, Pompano Beach, Florida.
- 3. The interest conveyed is the entire, right, title and interest in and to the identified trademarks.
  - 4. The attached document was executed on April 24, 2000.
  - 5. The following trademark applications/registrations are involved:

## **ALEX**

APPLICATION	ISSUED	REGISTRATION	FILING
NUMBER		NUMBER	DATE
	October 25, 1994	1,859,751	

## **ALEX SPORT**

APPLICATION NUMBER	ISSUED	REGISTRATION NUMBER	DATE
	May 28, 1991	1,646,100	

06/15/2000 DNGUYEN 00000134 1859751

01 FC:481 02 FC:482 40.00 DP 50.00 DP

APPLICATION NUMBER	ISSUED	REGISTRATION NUMBER	DATE
75/180,074			October 11, 1996

6. All future correspondence concerning this identified trademark should be addressed to:

Jacqueline ZIon Lilling & Lilling P.C. PO BOX 560 Goldens Bridge, NY 10526

- 7. There are **three** (3) application(s) involved with this assignment.
- 8. A check in the amount of **ninety dollars (\$90.00)** is enclosed to cover the recording fee.
- 9. 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.

Respectfully submitted, Lilling & Lilling P.C.

Dated: 5/15/00

Vacqueline Zlon

Westchester Financial Center

11 Martine Avenue

White Plains, New York 10606

Tel: (914) 684-0600 Fax: (914) 684-0304 Attorneys for Applicant(s)

## **ASSIGNMENT**

WHEREAS, ATLB SPORTSWEAR, INC., a corporation organized under and existing by virtue of the laws of the State of New York and located at 525 Seventh Avenue, 9th Floor, New York, has used the trademarks ALEX in connection with WOMEN'S SPORTSWEAR, NAMELY, PANTS SKIRTS, BLOUSES, JACKETS AND SWEATERS and is the owner of record of the U.S. Trademark Registration No. 1,859,751 for the said mark ALEX, dated October 25, 1994; ALEX SPORT in connection with WOMEN'S SPORTSWEAR, NAMELY, PANTS, SKIRTS, BLOUSES, JACKETS AND SWEATERS and is the owner of record of the U.S. Trademark Registration No. 1,646,100 for the said mark ALEX SPORT, dated May 28, 1991; and EYE in connection with CLOTHING AND SPORTSWEAR, NAMELY, PANTS, SKIRTS, JACKETS, BLOUSES, SHIRTS, SWEATERS, JEANS, BATHING SUITS, SWIMWEAR, SHORTS, BELTS, SHOES, HATS AND TIES and is the owner of record of the U.S. Trademark Application No. 75/180074 for the said mark EYE, filed on October 11, 1996.

WHEREAS, effective as of April 26, 1999, BENNETT COLE, INC., a corporation organized under and existing by virtue of the laws of the State of New York and located at 2301 N.W. 33<sup>rd</sup> Court, Suite 102, Pompano Beach, Florida, acquired said trademarks ALEX and the above identified U.S. Trademark Registration No. 1,859,751; ALEX SPORT and the above identified U.S. Trademark Registration No. 1,646,100; and EYE and the above U.S. Trademark Application No. 75/180074, together with the goodwill of the businesses symbolized by said marks; and

WHEREAS, it is desired to confirm such assignment and transfer of said marks

ALEX and the above identified U.S. Trademark Registration No. 1,859,751; ALEX SPORT and the above identified U.S. Trademark Registration No. 1,646,100; and EYE and the above U.S. Trademark Application No. 75/180074, together with the goodwill of the businesses symbolized by said marks and to make the same a matter of record in the United States Patent and Trademark Office;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, effective April 26, 1999, ATLB SPORTSWEAR, INC., does hereby sell, assign, transfer and set over unto the BENNETT COLE, INC. all right, title and interest in and to the said trademarks ALEX and the above identified U.S. Trademark Registration No. 1,859,751; ALEX SPORT and the above identified U.S. Trademark Registration No. 1,646,100; and EYE and the above U.S. Trademark Application No. 75/180074, together with the goodwill of the businesses symbolized by the said trademarks and all rights of action, in law or in equity, for past or future infringements thereof.

BENNETT COLE, INC., is the successor to the business of ATLB SPORTSWEAR, INC. with regard to the marketing, distribution and sale of "CLOTHING ANS SPORTSWEAR, NAMELY, PANTS SKIRTS, JACKETS, BLOUSES, SHIRTS, SWEATERS, JEANS, BATHING SUITS, SWIMWEAR, SHORTS, BELTS, SHOES, HATS AND TIES," and ATLB SPORTSWEAR, INC. is no longer in the business of marketing and distributing such proucts.

Said trademarks ALEX and the above identified U.S. Trademark
Registration No. 1,859,751; ALEX SPORT and the above identified U.S. Trademark
Registration No. 1,646,100; and EYE and the above U.S. Trademark Application No.

75/180074 to be held and enjoyed by the said BENNETT COLE, INC. for its own use and behoof and for its successors and assigns, as fully and entirely as the same would have been held by the said ATLB SPORTSWEAR, INC. had this assignment not been made.

Dated: (1/2000)

**RECORDED: 05/25/2000** 

ATLB SPORTSWEAR, INC.

By. Allen Schneider, President