

RECORD
TR

03-30-2001



U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Tab settings

To the Honorable Commissioner of Patents and

101653529

Original documents or copy thereof.

1. Name of conveying party(ies): WED
3-14-01
ePods, Inc.
2601 Fourth Avenue
Suite 400
Seattle, Washington 98121

- ☐ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☒ Corporation-State (Washington)
☐ Other

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

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☒ Other Nunc Pro Tunc Trademark Assignment

Execution Date: March 5, 2001

2. Name and address of receiving party(ies)

Name: Salton, Inc.
Internal Address: RECEIVED
Street Address: 550 Business Center Drive
City: Mount Prospect State: IL ZIP: 60056

- ☐ Individual(s) citizenship
☐ Association
☐ General Partnership
☐ Limited Partnership
☒ Corporation-State Delaware
☐ Other

If assignee is not domiciled in the United States, a domestic representative designee 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 patent number(s):

A. Trademark Application No.(s)

See Schedule

B. Trademark Registration No.(s)

Additional numbers attached? ☒ Yes ☐ No

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

Name: Carol Anne Been
Internal Address: Sonnenschein Nath & Rosenthal
PO Box #061080
Street Address: Wacker Drive Station
Sears Tower
City: Chicago State: IL ZIP: 60606

6. Total number of applications and registrations involved: 24

7. Total fee (37 CFR 3.41).....\$ 615.00

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit account number:

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

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.

Carol Anne Been

Name of Person Signing

Carol Anne Been

Signature

March 13, 2001

Date

Total number of pages including cover sheet, attachments, and document: 24

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20504

TRADEMARK
REEL: 002261 FRAME: 0119

United States:

<u>Mark</u>	<u>Application Number</u>
EPODSONE (Class 42)	76/014,011
CONTENT COMMERCE (Class 9)	76/014,010
CONTENT COMMERCE (Class 42)	76/014,009
BRING THE INTERNET HOME TODAY (Class 9)	76/014,008
BRING THE INTERNET HOME TODAY (Class 42)	76/014,007
BRINGING YOU THE BEST OF THE WEB	76/014,006
EPODS: YOUR PERSONAL ONLINE DESTINATION	76/014,005
EPODS WAVE	75/817,689
EPODS (Class 42)	75/814,035
EPODS (Class 9)	75/811,239
EPODS (Class 9)	75/811,245
PERSONALIZED ONLINE DESTINATIONS	75/759,047
EPODZ	75/738,429

Epods, Inc.
Intellectual Property Schedule

Trademarks

International:

<u>Mark</u>	<u>Application Number</u>	<u>Country</u>
EPODS	1,033,525	Canada
EPODZ	1,023,615	Canada

United States:

<u>Mark</u>	<u>Application Number</u>
EPODS: YOUR PERSONAL ONLINE DESTINATION	76/014,022
BRING HOME THE INTERNET	76/014,021
RIGHT THIS WAY TO THE INTERNET	76/014,020
BRINGING YOU THE BEST OF THE WEB	76/014,019
ALL-IN-ONE INTERNET EXPERIENCE (Class 42)	76/014,018
ALL-IN-ONE INTERNET EXPERIENCE (Class 9)	76/014,017
RIGHT THIS WAY TO THE INTERNET	76/014,016
BRINGING HOME THE INTERNET	76/014,015
TOUCH THE SCREEN AND THE INTERNET COMES TO YOU (Class 9)	76/014,014
TOUCH THE SCREEN AND THE INTERNET COMES TO YOU (Class 42)	76/014,013
EPODSONE (Class 9)	76/014,012

TRADEMARK ASSIGNMENT

WHEREAS, EPODS, INC. ("ePods"), a Washington corporation having a place of business at 2601 Fourth Avenue, Suite 400, Seattle, Washington, 98121, has adopted and is presently using the trademarks and service marks set forth on the Schedule attached hereto (the "Marks"), and has applied for United States trademark or service mark registrations for said Marks as also shown on the Schedule (the "Applications");

WHEREAS, SALTON, INC ("Salton"), a Delaware corporation having a place of business at 550 Business Center Drive, Mount Prospect, Illinois 60056, has made certain loans to and incurred other obligations for the benefit of ePods secured by a lien on all of ePods' assets, including its trademarks, which went into default;

WHEREAS, Salton noticed a public foreclosure which was held on November 15, 2000. At that foreclousre sale, Salton acquired all of ePods assets which were its collateral, including the assets covered by this assignment, through a credit bid and is hereby reflecting that previous transfer by operation of law in the public trademark records;

WHEREAS, the foreclosure sale also conveyed any Marks that are the subject of pending intent-to-use federal applications as part of the entire business or portion thereof to which those Marks pertain, as required by 15 U.S.C. § 1060;

NOW, THEREFORE, based on Salton's foreclosure discussed above, ePods does hereby assign *nunc pro tunc* as of November 15, 2000, to Salton all right, title and interest in, to and under said Marks, together with the goodwill of the business connected with the use of and symbolized by the Marks, and all causes of action for the infringement of such Marks, and all Registrations therefor.

ePods, Inc.

By:

Marc Levenstein

Name: Marc Levenstein

Title: Attorney-In-Fact

ACKNOWLEDGEMENT

STATE OF Illinois)
COUNTY OF Cook) SS

Be it remembered on this 5th day of March, 2001, before me, the subscriber, a Notary Public authorized to take acknowledgements and proofs in said county and state, personally appeared Marc Levenstein, to me known, who being by me duly sworn according to law, on his oath does depose and make proof of my satisfaction that he was the Attorney-In-Fact of said corporation, the assignor in the foregoing instrument; and that he signed, sealed and delivered the instrument as the voluntary act and deed of said corporation, by virtue of his authority.

"OFFICIAL SEAL"
MARTY DIVER
Notary Public, State of Illinois
My Commission Expires 8-27-02

Marty Diver
Notary Public

Epods, Inc.
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