

04-18-2001

U.S. Department of Commerce  
Patent and Trademark Office

101678194

TRADEMARKS ONLY

4-5-01

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

## 1. Name of conveying party(ies):

M. KAMENSTEIN, INC.

☐ Individual(s)                      ☐ Association  
☐ General Partnership              ☐ Limited Partnership  
☒ Corporation-State - New York  
☐ Other \_\_\_\_\_

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

## 2. Name and Address of receiving party(ies)

Name: M. KAMENSTEIN, INC.

Address: 565 TAXTER ROAD  
ELMSFORD, NEW YORK 10523

☐ Individual(s) citizenship  
☐ Association  
☐ General Partnership  
☐ Limited Partnership  
☒ Corporation-State - Delaware  
☐ 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                      ☐ Merger  
☐ Security Agreement              ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: June 13, 1997

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

A. Trademark Application No.(s)

B. Trademark Registration No. 2388262 (CIRCA)

See Attached Schedule "A" for additional marks

Additional numbers attached? ☒ Yes ☐ No

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

Mary L. Kevlin, Esq.  
 Cowan, Liebowitz & Latman, P.C.  
 1133 Avenue of the Americas  
 New York, NY 10036-6799

## 6. Total number of applications and registrations involved: 12

## 7. Total fee (37 CFR 3.41)..... \$ 315.00

☒ Enclosed  
☒ Any deficiency is authorized to be charged to  
 Deposit Account No. 03-3415.

## 8. Deposit Account No. 03-3415

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

04/18/2001 TDIATZ1 00000021 2388262

DO NOT USE THIS SPACE

## 9. Statement and signature.

40.00 OP

01 FC:481  
 02 FC:482 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.

Mary L. Kevlin

Signature

Date

Total number of pages including cover sheet, attachments, and document: 15

Mail to: U.S. Patent and Trademark Office, Office of Public Records, Crystal Gateway 4, Room 335, Washington, DC 20231

MLK/NMP/12858/01/464594.1

TRADEMARK  
 REEL: 002273 FRAME: 0532

**SCHEDULE "A"****TRADEMARKS**

<u>Registration No.</u>	<u>Mark</u>	<u>Reg. Date</u>
2273087	WORLD OF MOTION	8/24/99
2273031	PARTY HANDS	8/24/99
2041874	TASTE TINGS (STYLIZED)	3/4/97
1848211	TEACATTLE	8/2/94
1663396	MISCELLANEOUS DESIGN (DESK ORGANIZER)	11/5/91
1644381	KAMENSTEIN	5/14/91
1639374	NOVELTEAS	3/26/91
1551016	KAMENSTEIN	8/8/89
1597472	MISCELLANEOUS DESIGN (GADGET ORGANIZER)	5/22/90
1336735	FLIP-IT	5/21/85
1475530	GOODSPICE	2/2/88

## **WORLDWIDE ASSIGNMENT OF MARKS**

WHEREAS, M. Kamenstein, Inc., a New York corporation ("Assignor") with its principal place of business at 565 Taxter Road, Elmsford, New York, 10523, has adopted, used, and is the owner of certain rights and interests (the nature and extent of which the Assignor is not representing herein) in certain trademarks, service marks and trade names, and registration and applications therefor, identified and listed on Schedule I hereto (collectively, the "Scheduled Marks"); and

WHEREAS, M. Kamenstein, Inc., a Delaware corporation, ("Assignee") with its principal place of business at 565 Taxter Road, Elmsford, New York, 10523, desires to acquire said Scheduled Marks;

WHEREAS, Assignee is a successor to the business of Assignor to which the Scheduled Marks pertain, and that business is existing and ongoing;

NOW, THEREFORE, for TEN AND NO/100 DOLLARS (\$10) and other good and valuable consideration, the receipt, sufficiency, and adequacy of which are hereby acknowledged, Assignor does hereby assign to Assignee, its successors and assigns, absolutely and forever, all of its right, title and interest, whether statutory or at common law, in and to the Scheduled Marks, together with the goodwill of the business symbolized by them throughout the world and such other trademarks, service marks, trade names and trade dress as may be owned by Assignor and used in connection with its business and all registrations and pending applications therefor, in all countries throughout the world (collectively, "All Marks"), together with all causes of action for any and all previously occurring infringements of the rights being assigned and the right to receive and retain the proceeds relating to those infringements.

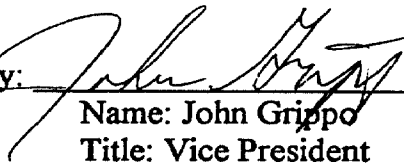
At Assignee's expense, Assignor agrees to execute such further papers and do such other acts as may be necessary and proper to vest full title in and to All Marks in the Assignee or which may be necessary to obtain, renew, or issue All Marks.

Assignor hereby irrevocably constitutes and appoints Assignee and any officer or agent thereof, with full power of substitution, as its true and lawful attorney-in-fact with full irrevocable power and authority in the place and stead of Assignor and in the name of Assignor or in its own name, from time to time in Assignee's discretion, for the purpose of carrying out the terms of this Worldwide Assignment of Marks, to take any and all appropriate action and to execute any and all documents and instruments which may be reasonably necessary or desirable to accomplish the purposes of this Worldwide Assignment of Marks. This power of attorney is a power coupled with an interest and shall be irrevocable.

Concurrently with the execution and delivery of this Worldwide Assignment of Marks, Assignor is executing and delivering to Assignee, in the form of Schedule II hereto, a Power of Attorney for the implementation of this assignment and the recordation of the same.

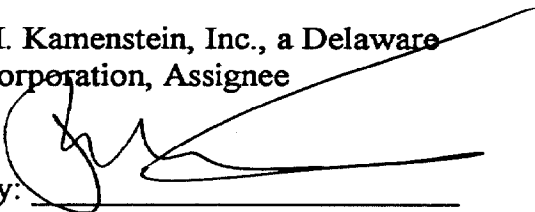
IN WITNESS WHEREOF, M. Kamenstein, Inc., a New York corporation, has caused this Trademark Assignment to be executed and delivered as of this 13th day of June, 1997.

M. Kamenstein, Inc., a New York  
Corporation, Assignor

By:   
Name: John Grippo  
Title: Vice President

IN WITNESS WHEREOF, M. Kamenstein, Inc., a Delaware corporation, accepts this Trademark Assignment executed and delivered as of this 13th day of June, 1997.

M. Kamenstein, Inc., a Delaware  
Corporation, Assignee

By:   
Name: Peter Kamenstein  
Title: President

**Notarial Acknowledgment**

State of Connecticut       )  
                                  ) ss.:  
County of Fairfield       )

On the 13th day of June, 1997, before me personally came John Grippo, to me known, who being by me duly sworn, did depose and say that he is a Vice President of M. Kamenstein, Inc., a New York corporation, the corporation described in and which executed the foregoing instrument; and that he signed his name thereto by order of the Board of Directors.

[Notarial Seal]



Notary Public

DAVID L. DUFORT  
NOTARY PUBLIC  
MY COMMISSION EXPIRES APR. 30, 2001

State of Connecticut       )  
                                  ) ss.:  
County of Fairfield       )

On the 13th day of June, 1997, before me personally came Peter Kamenstein, to me known, who being by me duly sworn, did depose and say that he is the President of M. Kamenstein, Inc., a Delaware corporation, the corporation described in and which executed the foregoing instrument; and that he signed his name thereto by order of the Board of Directors.

[Notarial Seal]



DAVID L. DUFORT  
NOTARY PUBLIC  
MY COMMISSION EXPIRES APR. 30, 2001

# SCHEDULE I

## TRADEMARKS

<u>Reg. No.</u>	<u>Mark</u>	<u>Reg. Date</u>
914,913	MAGIC CASSEROLE	06/15/71
1,027,612	AMERICAN MAID	12/16/75
1,336,735	FLIP-IT	05/21/85
1,475,530	GOODSPICE	02/02/88
1,551,016	KAMENSTEIN	08/08/89
1,597,472	MISCELLANEOUS DESIGN (GADGET ORGANIZER)	05/22/90
1,639,373	MAYA	03/26/91
1,639,374	NOVELTEAS	03/26/91
1,644,381	KAMENSTEIN	05/14/91
1,663,396	MISCELLANEOUS DESIGN (GADGET ORGANIZER)	05/11/91
1,668,556	KETTLE O'FISH	12/17/91
1,673,018	FORMALTEAS	01/21/92
1,745,223	EXPRESSIONS	05/01/93
1,745,071	EXPRESSIONS	05/01/93
1,745,249	EXPRESSIONS	05/01/93
1,764,558	TEABIRD	04/13/93
1,787,518	ELEPHANTEA	10/08/93
1,848,211	TEACATTLE	02/08/94
1,871,935	GARDEN VARIETEAS	03/01/95
2,041,874	TASTE TINGS	03/04/97

SCHEDULE I  
TRADEMARKS - PENDING

<u>Serial No.</u>	<u>Mark</u>	<u>Filing Date</u>
75/211,507	KAMENSTEIN	11/12/96
75/211,506	KAMENSTEIN IN HOMES FOR 100 YEARS	11/12/96
75/064,470	GREAT IDEAS FROM KAMENSTEIN & DESIGN	02/27/96
75/061,248	GREAT IDEAS FROM KAMENSTEIN	02/22/96

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**SCHEDULE I****TRADEMARKS**

SERIAL NO.	MARK	FILING DATE
74/020230	Personal Manager	01/18/90
74/020231	Personal Manager, Jr.	01/18/90
74/079466	Formalteas	07/18/90
74/129610	Kettle O'Fish	01/11/91
1,663,396	Miscellaneous Design	11/05/91



# SCHEDULE I

## TRADEMARKS

REGISTRATION NO.	MARK	REG. DATE
887,352	Latoque Blanche <sup>1</sup> *	03/10/70
888,626	Latoque Blanche <sup>1</sup> *	03/31/70
914,913	Magic Casserole	06/15/71
1,012,497	Oldie Ironsides & Design * (***)	06/03/75
1,027,612	American Maid	12/16/75
1,051,301	Meat Mate <sup>2</sup>	10/26/76
1,086,939	MK + Design *	03/07/78
1,108,008	Rite-Mark <sup>3</sup> *	12/05/78
1,112,323	Country Rustic *	01/30/79
1,131,361	Pronto *	02/26/80
1,296,370	MK + Design *	09/18/84
1,299,537	Crystal Food Brand Spices *	10/09/84
1,304,410	Pitcher Pot *	11/06/84
1,329,096	Perk Pot *	04/02/85
1,336,735	Flip-It	05/21/85
1,347,278	Trellis *	07/09/85
1,352,878	Coffee Chaser *	08/06/85
1,475,530	Goodspice	02/02/88
1,551,016	Kamenstein	08/08/89
1,597,472	Miscellaneous Design (Gadget Organizer)	05/22/90
1,639,373	Maya	03/26/91
1,639,374	Novelteas	03/26/91
1,644,381	Kamenstein	05/14/91

\* Cancelled

\*\*\* Not identified in Schedule 5.15 to the Agreement and Plan of Merger dated as of August 14, 1991; however identified in a search of Patent and Trademark Office records

<sup>1</sup>/Assigned to Le Creuset S.A.R.L. in 1977

<sup>2</sup>/Issued in the name of New Chicago Systems, White Plains, N.Y.

<sup>3</sup>/Issued in the name of Poc-It-All

**SCHEDULE I**

**TRADEMARKS**

<b>COUNTRY</b>	<b>MARK</b>	<b>SERIAL NO. FILING DATE</b>	<b>REG. NO. REG. DATE</b>
Australia	PERSONAL MANAGER	531,485 03/26/90	
Australia	MAYA	531,486 03/26/90	
Benelux	KAMENSTEIN		466,976 11/06/89
Canada	FORMAL TEAS	669,777 10/24/90	
Canada	KAMENSTEIN		387,016 07/26/91
Canada	MAYA	654,023 03/26/90	
Canada	PERSONAL MANAGER	654,027 03/26/90	
France	KAMENSTEIN		1,568,173 12/21/89
Germany	KAMENSTEIN	W 63 430 08/22/90	
Germany	KAMENSTEIN		1,164,188 09/18/90
Italy	KAMENSTEIN	37920C/90 01/19/90	
U.K.	FORMALTEAS	1,434,557 08/06/90	
U.K.	KAMENSTEIN	1,406,367 11/07/89	
U.K.	KAMENSTEIN	1,406,368 11/07/89	
U.K.	KAMENSTEIN	1,406,369 11/07/89	
U.K.	MAYA	1,420,280 03/28/90	
U.K.	PERSONAL MANAGER	1,418,995 03/28/90	

**SCHEDULE I**

**TRADEMARKS**

**M. Kamenstein  
Kamenstein Europe**

## SCHEDULE II

### SPECIAL POWER OF ATTORNEY

STATE OF CONNECTICUT)

: ss.:

COUNTY OF FAIRFIELD )


KNOW ALL MEN BY THESE PRESENTS, that M. Kamenstein, Inc., a corporation formed under the laws of New York, with its principal office at 565 Taxter Road, Elmsford, New York, 10523, (hereafter called "Assignor") pursuant to a Worldwide Assignment of Marks, dated the date hereof (the "Assignment"), hereby appoints and constitutes M. Kamenstein, Inc., a Delaware corporation, with offices at 565 Taxter Road, Elmsford, New York, 10523, (hereafter called the "Assignee"), its true and lawful attorney, with full power of substitution, and with full power and authority to perform the following acts on behalf of Assignor:

Assigning, selling or otherwise disposing of all right, title and interest of Assignor in and to All Marks, as that term is defined in the Assignment and all registrations and recordings thereof, and all pending applications therefor, and for the purpose of the recording, registering and filing of, or accomplishing any other formality with respect to the foregoing, and to execute and deliver any and all agreements, documents, instruments of assignment or other papers necessary or advisable to effect such purpose;

To execute any and all documents, statements, certificates or other papers necessary or advisable in order to obtain the purposes described above as Assignee may in its sole discretion determine.

This power of attorney is made pursuant to the Assignment dated the date hereof, between Assignor and Assignee and may not be revoked.

M. Kamenstein, Inc., a New York  
corporation


By:   
John Grippo  
Vice President

**Notarial Acknowledgment**

State of Connecticut       )  
                                  ) ss.:  
County of Fairfield        )

On the 13th day of June, 1997, before me personally came John Grippo, to me known, who being by me duly sworn, did depose and say that he is a Vice President of M. Kamenstein, Inc., a New York corporation, the corporation described in and which executed the foregoing instrument; and that he signed his name thereto by order of the Board of Directors.

[Notarial Seal]



\_\_\_\_\_  
Notary Public

DAVID L. DUFORT  
NOTARY PUBLIC  
MY COMMISSION EXPIRES APR. 30, 2001