

07-17-2001



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RECORDATION FORM COVER SHEET

TRADEMARKS ONLY

Form PTO-1594

(Rev. 03/01)

OMB No. 0651-0027 (exp. 5/31/2002)

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U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

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

1. Name of conveying party(ies):

Sealy Mattress Company

7-11-01

☐ Individual(s)☐ Association☐ General Partnership☐ Limited Partnership☒ Corporation-State Ohio☐ Other _____Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other _____

Execution Date: May 23, 2001

2. Name and address of receiving party(ies)

Name: Sealy Technology LLC

Internal

Address: _____

Street Address: One Office Parkway

City: Trinity State: NC Zip: 27370

☐ Individual(s) citizenship _____☐ Association _____☐ General Partnership _____☐ Limited Partnership _____☐ Corporation-State _____☒ Other North Carolina limited liability Co.

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 number(s):

A. Trademark Application No.(s)

(See attached Schedule)

B. Trademark Registration No.(s)

Additional number(s) attached ☒ Yes ☐ No

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

Name: Jeanne E. Longmuir

Internal Address: Calfee, Halter &

Griswold LLP

Street Address: 1400 McDonald Investment

Center, 800 Superior Avenue

City: Cleveland State: Ohio Zip: 44114

6. Total number of applications and registrations involved: 2

7. Total fee (37 CFR 3.41).....\$ 65.00

☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number:

03-0172

(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.

Jeanne E. Longmuir

Name of Person Signing

7/9/01

Date

Total number of pages including cover sheet, attachments, and document: 4

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patent & Trademarks, Box Assignments
Washington, D.C. 20231

07/16/2001 10:21:21 00000124 76194787

01 FC:481
02 FC:48210.00 GP
25.00 GPTRADEMARK
REEL: 002329 FRAME: 0566

SCHEDULE A

**STEARNS & FOSTER BEDDING CO.
U.S. INTENT-TO-USE APPLICATIONS**

C,H & G # 21528	MARK	APP. NO.	APP. DATE
04678	GOLDEN ELEGANCE	76/193,787	01/12/01
04074	STEARNS & FOSTER	75/369,283	10/07/97

ASSIGNMENT OF TRADEMARKS
(U.S. INTENT-TO-USE APPLICATIONS)

STATE OF NORTH CAROLINA)
COUNTY OF RANDOLPH)

WHEREAS, SEALY MATTRESS COMPANY (“Assignor”), an Ohio corporation having its principal place of business at One Office Parkway, Trinity, North Carolina 27370, has filed applications, based on Assignor’s intention to use the marks in interstate commerce, for the registration of certain trademarks with the U.S. Patent and Trademark Office, as more fully described in Schedule A, hereto (the “Trademarks”); based on Assignor’s intention to use the marks in interstate commerce;

AND WHEREAS, SEALY TECHNOLOGY LLC (“Assignee”), a North Carolina limited liability company having its principal place of business at One Office Parkway, Trinity, North Carolina 27370, is desirous of acquiring the entire right, title, and interest in and to the Trademarks;

NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, and intending to be legally bound hereby, Assignor hereby assigns and transfers to Assignee the entire right, title, and interest in and to the Trademarks and all U.S. applications therefor, along with the portion of the business pertaining to the Trademarks and any goodwill of the business symbolized by the Trademarks; all rights of action arising from the Trademarks; all claims for damages by reason of past, present, or future infringement of the Trademarks; and the right to sue and collect damages for such infringement, to be held and enjoyed by the Assignee for its own use and benefit and for its successors and assigns as the same would have been held by Assignor had this assignment not been made.

IN WITNESS WHEREOF, Assignor has caused this Assignment to be executed by its duly authorized officers.

Dated: May 23, 2001

SEALY MATTRESS COMPANY

By: *Kenneth L. Walker*

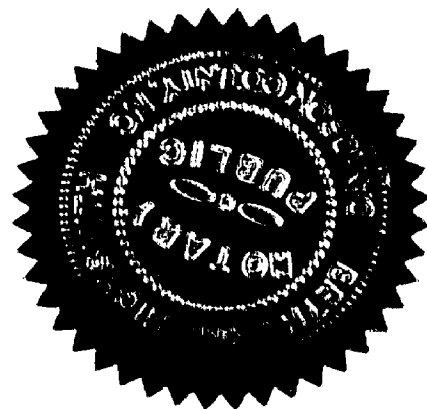
**Beth Anne Highsmith, Notary Public
Davidson County, North Carolina
My Commission Expires 5/24/2005**

Name: Kenneth L. Walker

Title: Vice President, General Counsel & Secretary

Subscribed and sworn to before me on May 23, 2001.

Notary Public: *Beth Anne Highsmith*



Acknowledged, Agreed and Accepted: The Ohio Mattress Company Licensing And Components Group hereby acknowledges the receipt of the Trademarks (as defined above) from Assignor and contribution of the Trademarks to Assignee such that Assignor shall be authorized to transfer the Trademarks directly to Assignee.

THE OHIO MATTRESS COMPANY LICENSING AND COMPONENTS GROUP

By: *E. Lee Wyatt*

Name: E. Lee Wyatt

Title: Vice President

Subscribed and sworn before me on May 23, 2001.

Notary Public: *Beth Anne Highsmith*

**Beth Anne Highsmith, Notary Public
Davidson County, North Carolina
My Commission Expires 5/24/2005**

