



09-05-2001

U.S. Department of Commerce
Patent and Trademark Office
TRADEMARK

08-27-2001

U.S. Patent & TMO/TM Mail Ropt Dt. #57



101833456

RECORDATION FORM COVER SHEET TRADEMARKS ONLY

8-27-01

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- New
- Resubmission (Non-Recordation)
Document ID # _____
- Correction of PTO Error
Reel # _____ Frame # _____
- Corrective Document
Reel # _____ Frame # _____

Conveyance Type

- Assignment License
- Security Agreement Nunc Pro Tunc Assignment
Effective Date
Month Day Year _____
- Merger
- Change of Name
- Other Power of Attorney

Conveying Party

Mark if additional names of conveying parties attached

Name ASSOCIATION OF INDEPENDENT ICE CREAM RETAILERS

Execution Date
Month Day Year
04 08 01

Formerly _____

- Individual General Partnership Limited Partnership Corporation Association
- Other UNINCORPORATED
- Citizenship/State of Incorporation/Organization LOUISIANA

Receiving Party

Mark if additional names of receiving parties attached

Name KALEIDOSCOOPS, INC.

DBA/AKA/TA _____

Composed of _____

Address (line 1) 4026 MAPLEWOOD DRIVE

Address (line 2) _____

Address (line 3) SULPHUR

City

LOUISIANA

State/Country

70663

Zip Code

- Individual General Partnership Limited Partnership Corporation Association
- Corporation Association
- Other _____
- Citizenship/State of Incorporation/Organization DELAWARE

If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from the Assignment.)

FOR OFFICIAL USE ONLY

09/04/2001 AAHME1 00100078 76 20025

01 FD-481
02 FT-482

40.00 0P
25.00 0P

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

TRADEMARK
REEL: 002361 FRAME: 0137

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name _____

Address (line 1) _____

Address (line 2) _____

Address (line 3) _____

Address (line 4) _____

Correspondent Name and Address

Area Code and Telephone Number 215-979-1282

Name LEWIS F. GOULD, JR., ESQ.

Address (line 1) DUANE MORRIS & HECKSCHER, LLP

Address (line 2) ONE LIBERTY PLACE

Address (line 3) PHILADELPHIA, PA 19103

Address (line 4) _____

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

Trademark Application Number(s) or Registration Number(s)

Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)

Registration Number(s)

76/120,025 76/120,026 _____

Number of Properties Enter the total number of properties involved.

2

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$ 65.00

Method of Payment: Enclosed Deposit Account

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number: # 04-1679

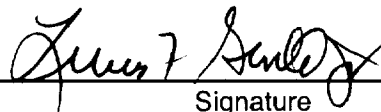
Authorization to charge additional fees: Yes No

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. Charges to deposit account are authorized, as indicated herein.

LEWIS F. GOULD, JR., REG. NO. 25,057

Name of Person Signing



Signature

August 23, 2001

Date Signed

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
KALEIDOSCOOPS, INC.

Mark: KALEIDOSCOOPS

Examining Attorney: Stacy B. Wahlberg

Serial No.: 76/120,025

Trademark Law Office: 113

Date of Filing: 08/31/2000

Docket No.: D7664

POWER OF ATTORNEY

Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

CERTIFICATE UNDER 37 CFR 1.8(a)
I HEREBY CERTIFY THAT THIS
CORRESPONDENCE IS BEING DEPOSITED
WITH THE UNITED STATES POSTAL SERVICE
AS FIRST CLASS MAIL IN AN ENVELOPE
ADDRESSED TO ASSISTANT COMMISSIONER
FOR TRADEMARKS, 2900 CRYSTAL DRIVE,
ARLINGTON, VIRGINIA 22202.

BY Stacy B. Wahlberg

DATE August 23, 2001

Sir:

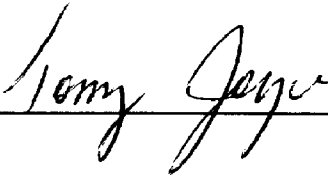
The undersigned, owner of the above-identified service mark application, revokes all powers of attorney previously granted, and appoints the following persons as his new attorneys, with full power of revocation and substitution, to act in his behalf of all matters affecting the above-identified application and registration to be granted thereon.

The undersigned hereby appoints Lewis F. Gould, Jr., Reg. No. 25,057; William H. Murray, Reg. No. 27,218; Stephan P. Gribok, Reg. No. 29,643; Arthur L. Plevy, Reg. No. 24,277; Peter J. Cronk, Reg. No. 32,021; Robert E. Rosenthal, Reg. No. 33,450; Richard A. Paikoff, Reg. No. 34,892; Samuel W. Apicelli, Reg. No. 36,427; Steven E. Koffs, Reg. No. 37,163; Jane E. Alexander, reg. No. 36,014; Paul A. Schwarz, Reg. No. 37,577; Carl A. Giordano, Reg. No. 41,780; Darius C. Gambino, Reg. No. 41,472; Edward J. Howard, Reg. No. 42,670; Anthony Colesanti, Reg. No. 42,428; Melanie Goddard, Reg. No. 46,732; Joseph A Powers, Reg. No. 47,066; Joseph F. Oriti, Reg. No. P47,835 and Alison Gifford as its attorneys, with full power of substitution and revocation to amend or otherwise act relative to it as they may deem advisable, to transact all business in the Patent and Trademark Office in connection therewith and generally to do all matters and things needful in connection with this registration.

Please direct all correspondence to: Lewis F. Gould, Jr., Esq.
Duane Morris and Heckscher, Llp
One Liberty Place
Philadelphia, PA 19103
Telephone No. (215) 979-1282

KALEIDOSCOOPS, INC.

Date: 4/8/01

By: 

Name: TOMMY JOYCE

Title: President and CEO

Docket No. D7664-

PH11835693.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
KALEIDOSCOOPS, INC.

Mark: KALEIDOSCOOPS

Examining Attorney: Stacy B. Wahlberg

Serial No.: 76/120,026

Trademark Law Office: 113

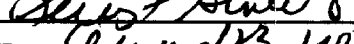
Date of Filing: 08/31/2000

POWER OF ATTORNEY

Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Sir:

CERTIFICATE UNDER 37 CFR 1.8(a)
I HEREBY CERTIFY THAT THIS
CORRESPONDENCE IS BEING DEPOSITED
WITH THE UNITED STATES POSTAL SERVICE
AS FIRST CLASS MAIL IN AN ENVELOPE
ADDRESSED TO ASSISTANT COMMISSIONER
FOR TRADEMARKS, 2900 CRYSTAL DRIVE,
ARLINGTON, VIRGINIA 22202.

BY 
DATE August 23, 2001

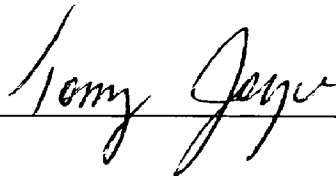
The undersigned, owner of the above-identified service mark application, revokes all powers of attorney previously granted, and appoints the following persons as his new attorneys, with full power of revocation and substitution, to act in his behalf of all matters affecting the above-identified application and registration to be granted thereon.

The undersigned hereby appoints Lewis F. Gould, Jr., Reg. No. 25,057; William H. Murray, Reg. No. 27,218; Stephan P. Gribok, Reg. No. 29,643; Arthur L. Plevy, Reg. No. 24,277; Peter J. Cronk, Reg. No. 32,021; Robert E. Rosenthal, Reg. No. 33,450; Richard A. Paikoff, Reg. No. 34,892; Samuel W. Apicelli, Reg. No. 36,427; Steven E. Koffs, Reg. No. 37,163; Jane E. Alexander, reg. No. 36,014; Paul A. Schwarz, Reg. No. 37,577; Carl A. Giordano, Reg. No. 41,780; Darius C. Gambino, Reg. No. 41,472; Edward J. Howard, Reg. No. 42,670; Anthony Colesanti, Reg. No. 42,428; Melanie Goddard, Reg. No. 46,732; Joseph A Powers, Reg. No. 47,066; Joseph F. Oriti, Reg. No. P47,835 and Alison Gifford as its attorneys, with full power of substitution and revocation to amend or otherwise act relative to it as they may deem advisable, to transact all business in the Patent and Trademark Office in connection therewith and generally to do all matters and things needful in connection with this registration.

Please direct all correspondence to: Lewis F. Gould, Jr., Esq.
Duane Morris and Heckscher, Llp
One Liberty Place
Philadelphia, PA 19103
Telephone No. (215) 979-1282

KALEIDOSCOOPS, INC.

Date: 4/8/01

By: 

Name: TOMMY JOYCE

Title: President and CEO

Docket No. D7664-

PH1183569 v.1

TRADEMARK and SERVICE MARK ASSIGNMENT

The undersigned, Association of Independent Ice Cream Retailers (a/k/a AIIR), an unincorporated association with its principal place of business located in Sulphur, Louisiana, and having a place of business at 4026 Maplewood Drive, Sulphur, Louisiana, 70663 (the "Assigner"), hereby transfers and assigns to Kaleidoscoops, Inc., a Delaware corporation with its principal place of business located in Sulphur, Louisiana, and having a place of business at 4026 Maplewood Drive, Sulphur, Louisiana, 70663 (the "Assignee"), all right, title, and interest in and to the trademarks and service marks and applications/registrations in the United States Patent and Trademark Office identified and described below, along with the goodwill of the business associated therewith (the "Marks"):

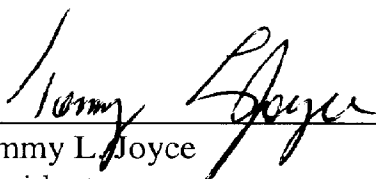
<u>Mark</u>	<u>Serial Number.</u>	<u>Filing Date</u>
KALEIDOSCOOPS	76/120,025	08/31/2000
KALEIDOSCOOPS	76/120,026	08/31/2000

The Assignor does hereby assign unto the Assignee all of its right, title, and interest in and to the Marks, free and clear of all liens and encumbrances, together with all of the goodwill of the business associated with and symbolized by such Marks, the registrations thereof and therefor, and any rights of the Assignor to sue any third parties for any past infringement of or to the Marks, for the use and benefit of the Assignee and its successors, assigns or other legal representative and to prosecute such applications and registrations in the United States Patent and Trademark Office.

After the execution of this Trademark and Service Mark Assignment, at the request of the Assignee and at the Assignee's expense, but without additional consideration to the Assignor, the Assignor will execute and deliver to the Assignee from time to time such further instruments of conveyance, transfer and assignment and other documents, and will take such other actions, as the Assignee may reasonably require to convey and deliver more effectively to the Assignee the Marks, to perfect the Assignee's title thereto, and otherwise to accomplish the orderly transfer to the Assignee of the Marks and to give full effect to this Trademark and Service Mark Assignment. This Trademark and Service Mark Assignment is binding on the Assignor and its successors and assigns, and inures to the benefit of the Assignee and its successors and assigns.

IN WITNESS WHEREOF, intending to be legally bound hereby, the Assignor has duly executed this Trademark and Service Mark Assignment as of this day of ,2001.

Association of Independent Ice Cream Retailers

By: 
Name: Tommy L. Joyce
Title: President