

09-07-2001

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To the Honorable Commissioner of Patents a, **101835688** .ed original documents or copy thereof:

1. Name of conveying party(ies): Drug Emporium, Inc.

☐ Individual(s) ☐ Association  
☐ General Partnership ☒ Corp. State Delaware  
☐ Limited Partnership ☐ Other

08/31/01

2. Name and address of receiving party(ies):

Name: Drug Emporium of Michigan, Inc.

Internal Address:

Street Address: 155 Hidden Ravines Drive

City: Powell State: OH ZIP: 43065

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

☐ Individual(s) citizenship

☐ Association

☐ General Partnership

☐ Limited Partnership

☒ Corporation-State DELAWARE

☐ Other -Limited Liability Company

3. Nature of conveyance:

☒ Assignment

☐ Security Agreement

☐ Other

☐ Merger

☐ Change of Name

If assignee is not domiciled in the United States, a domestic representative designation is attached: ☐ Yes ☐ No

(Designation must be a separate document from Assignment)

Additional name(s) and address(es) attached: ☐ Yes ☐ No

Execution Date August 16, 2001

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

A. Trademark Application No(s):

B. Trademark Registration No(s): 1935028

Additional numbers attached: ☐ Yes ☒ No

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

Vanessa R. Harmon  
Kegler, Brown, Hill & Ritter Co. LPA  
65 East State Street, Suite 1800  
Columbus, Ohio 43215

6. Total number of applications and registrations involved:

1

7. Total fee (37 CFR 3.41) \$ 40.00

☒ Enclosed

☐ Authorized to be charged to Deposit Account

8. Deposit Account Number:

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

09/06/2001 TDIAZ1 00000018 1935028

01 FC:481

40.00 DP

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

Signature

August 24, 2001  
Date

Total number of pages including cover sheet, attachments, and document: 3

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks  
Box Assignments, Washington, D.C. 20231

TRADEMARK  
REEL: 002363 FRAME: 0254

# TRADEMARK ASSIGNMENT

THIS TRADEMARK ASSIGNMENT is made and entered into as of the 16<sup>th</sup> day of August, 2001, by and among Drug Emporium, Inc., a Delaware Corporation located at 155 Hidden Ravines Drive, Powell, Ohio 43065 ("Assignor"), and Drug Emporium of Michigan, Inc., a Delaware Corporation located at 155 Hidden Ravines Drive, Powell, Ohio 43065 ("Assignee").

## WITNESSETH:

WHEREAS, pursuant to a Bill of Sale dated November 3, 1995, Assignor has purchased, adopted, used and is using the trademarks F&M, F&M DISTRIBUTORS and all derivations including F&M SUPER DRUG STORES which is the subject of registration no. 1935028 (hereinafter, collectively, the "Marks");

WHEREAS, pursuant to an identical Bill of Sale dated November 3, 1995, Assignee has purchased, adopted, used and is using the Marks;

WHEREAS, in order to settle each parties' rights with regard to the ownership of the Marks, Assignor desires to assign to Assignee all of Assignor's right, title and interest in and to registration no. 1935028 and the Marks, together with the goodwill associated therewith.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor assigns to Assignee all of its right, title and interest in and to the Marks and registration no. 1935028 (including, without limitation, the right to sue for past infringements), together with the goodwill symbolized by said Marks.

1. Assignor represents and warrants to Assignee that it shall not oppose or seek to cancel the registration of the Mark. Assignor represents and warrants to Assignee that it shall cooperate with Assignee by executing any documents necessary to permit Assignee in its efforts to register the Mark.

16<sup>th</sup> day of August, 2001. Assignor has caused this Trademark Assignment to be executed and delivered this

DRUG EMPORIUM, INC.

By: Terry L. Moore, CFO  
TERRY L. MOORE

DRUG EMPORIUM OF MICHIGAN, INC.

By: Terry L. Moore, Secretary  
TERRY L. MOORE

STATE OF OHIO )

COUNTY OF FRANKLIN )

On this 16 day of August, 2001, before me, the undersigned Notary Public, Terry L. Moore personally appeared, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument, Drug Emporium, Inc., upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Kathleen A. Diersing  
Signature of notary

My Commission Expires: June 18, 2003

**KATHLEEN A. DIERSING**  
Notary Public, State of Ohio  
My Commission Expires June 18, 2003

100077 2/03431 s. vl

RECORDED: 08/31/2001

TRADEMARK  
REEL: 002363 FRAME: 0256

2nd  
8/14/01