

12/17/01

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Form PTO-1594 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002) Tab settings



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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):

Rocky Mountain Chocolate Factory, Inc.

- Individual(s) Association General Partnership Limited Partnership Corporation-State Colorado 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: July 31, 1998

2. Name and address of receiving party(ies)

Name: Resort Confections, Inc.

Internal Address: P.O. Box 882829

Street Address: 1360 Skyview Lane, Unit 4

City: Steamboat Springs, State: CO Zip: 80488

- Individual(s) citizenship Association General Partnership Limited Partnership Corporation-State

Other Tradename for Gruesser Enterprises, Inc., a CO corp.

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)

B. Trademark Registration No.(s)

2,125,866

Additional number(s) attached Yes No

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

Name: Lynne M. Hanson, Esq.

Internal Address: Perkins Coie LLP

Street Address: 1899 Wynkoop Street, #700

City: Denver State: CO Zip: 80202

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)

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.

Lynne M. Hanson

Name of Person Signing

Signature

December 17, 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 Patent & Trademarks, Box Assignments Washington, D.C. 20231

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TRADEMARK REEL: 002412 FRAME: 0291

**Trademark Recordation Form Cover Sheet – Continuation Page**

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

William Don Grueser and Patricia C. Grueser (US Citizens)  
P.O. Box 882829  
1360 Skyview Lane, Unit 4  
Steamboat Springs, CO 80488

**TRADEMARK ASSIGNMENT**

**WHEREAS**, Rocky Mountain Chocolate Factory, Inc., a Colorado corporation, with a principal place of business at 265 Turner Drive, Durango, Colorado 81301 ("Assignor"), has adopted, owns and is using the trademark FUZZIWIGS ("the Mark") in connection with clothing, namely, hats and T-shirts; and


**WHEREAS**, Assignor owns a federal Registration for the Mark on the Principal Register of the United States Patent and Trademark Office in connection with the services identified therein, Registration No. 2,125,866 registered on December 30, 1997; and

**WHEREAS**, Resort Confections, Inc., a Colorado corporation, and William Don Grueser and Patricia C. Grueser, all with a principal place of business at 709 Lincoln Avenue, Steamboat Springs, Colorado 80477 (collectively "Assignees"), desire to acquire the Mark, the goodwill appurtenant thereto, and the above-referenced Registration;

**NOW, THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby sells, assigns and transfers to Assignees all right, title and interest in and to the Mark, together with the goodwill of the business symbolized by the Mark and the registration thereof.


**ROCKY MOUNTAIN CHOCOLATE  
FACTORY, INC.**

Dated: July 31, 1998

By:   
C. Wade Folsom, Executive Vice President

Subscribed and sworn to before me, this 31st day of July, 1998.

My commission expires: 6/22/01

  
Notary Public

**S E A L**