

3-P-02

SEARS

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03-08-2002



102010271

March 7, 2002

ASSIGNMENT DIVISION
Commissioner of Patents and Trademarks
1213 Jeff Davis Highway
Suite 300
Arlington, VA 22202

3.8.02

RE: **Recordation of Trademark – WRAP YOURSELF IN PURE COMFORT**
Serial No. 75/921,212

Dear Commissioner:

Please record the attached original document for the above-referenced trademark. The cover sheet information for recordation is listed below:

Submission Type: New
Conveyance Type: Assignment
Conveying Party: Sealy Technology LLC
(a North Carolina corporation)
One Office Parkway, Trinity, North Carolina, 27370
Execution Date: February 5, 2002
Receiving Party: Sears, Roebuck and Co.
(a New York corporation)
3333 Beverly Road, Hoffman Estates, Illinois, 60179
Trademark: WRAP YOURSELF IN PURE COMFORT
Serial No.: 75/921,212

Please address correspondence to:

Andrea G. Hilborn, Esq.
Sears, Roebuck and Co.
Law Department, B6-377B
3333 Beverly Road
Hoffman Estates, IL 60179
Telephone: (847) 286-9041
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Chg 40

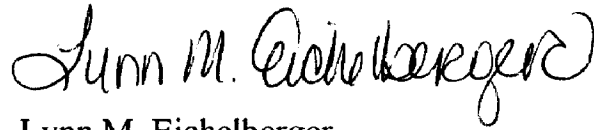
03/08/2002 6TOM11 00000219 501849 75921212
01 FC:481 40.00 CH

TRADEMARK
REEL: 002457 FRAME: 0004

Please charge Deposit Account No. 501849 in the amount of \$40.00 for payment of the filing fee and enclosed is a duplicate copy of the document for billing purposes.

Respectfully submitted,

SEARS, ROEBUCK AND CO.



Lynn M. Eichelberger

Enclosures

cc: Raymond Rundelli, Esq. – Calfee, Halter & Griswold LLP


CERTIFICATE OF MAILING

CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. § 1.10

“Express Mail” mailing label number: ET 807947759 US

Date of Deposit: 03/07/02

I certify that the attached cover sheet and Trademark Assignment are being deposited with the United States Postal Service “Express Mail Post Office to Addressee” service under 37 C.F.R. §1.10 on the date indicated above and addressed to: ASSIGNMENT DIVISION, Commissioner of Patents and Trademarks, 1213 Jeff Davis Highway, Suite 300, Arlington, VA 22202.

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STATE OF NORTH CAROLINA

:

SS

COUNTY OF RANDOLPH

:

WHEREAS, Sealy Technology LLC ("Assignor"), a North Carolina company with offices at One Office Parkway, Trinity, North Carolina 27370, has adopted, used and is using the trademark shown in Schedule A hereto in its mattress business;

AND WHEREAS, Sears, Roebuck and Co. ("Assignee"), a New York corporation with offices at 3333 Beverly Road, Hoffman Estates, Illinois 60179, is desirous of acquiring the trademark shown in Schedule A and all versions and derivations thereof (collectively, the "Trademarks"), the registrations and applications for registration of the Trademarks shown in Schedule A and any other registrations and applications for registration of the Trademarks, and the goodwill associated with Trademarks;

NOW THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, and intending to be legally bound, Assignor hereby sells, assigns and transfers to Assignee all right, title and interest in and to the Trademarks, any other registrations and applications for registration of the Trademarks, in and to all income, royalties, damages and payments now or hereafter due or payable with respect thereto and in and to all rights of action arising from the Trademarks, all claims for damages by reason of past, present and future infringement of the Trademarks and the right to sue and collect damages for such infringement, to be held and enjoyed by 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, and the goodwill of the business symbolized by the Trademarks.

Dated: February 5, 2002

SEALY, INC.

By: 

Name: Michael Q. Murray

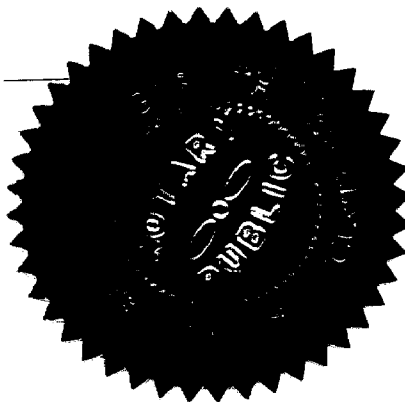
Title: Assistant Secretary

Subscribed and sworn to before me on

February 5, 2002


Notary Public

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



TRADEMARK
REEL: 002457 FRAME: 0006

SCHEDULE A

Trademark	Serial No.	Filing Date	Class	Goods
WRAP YOURSELF IN PURE COMFORT	75/921,212	02/17/2000	20	Mattress and box springs