

Tab settings 000Y

03-18-2002

To the Honorable Commissioner of Patents



Attached original documents or copy thereof.

1. Name of conveying party(ies):

2-27-02

OFFICE OF PUBLIC RECORDS

102019340

Address of receiving party(ies)

PARFUMS CARON

2002 FEB 27 PM 2:32

Name: CASTER

Internal Address:

Street Address: 35 avenue Franklin Roosevelt

City: Paris State: ~~FRANCE~~ ZIP: 75008

- Individual(s)
- General Partnership
- Corporation-State
- Other: joint stock company

FINANCE SECTION

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State
- Other: joint stock company

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

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

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other
- Merger
- Change of Name

Execution Date: December 20, 2001

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

76/014056

Additional numbers attached? Yes No

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

Name: GRAHAM CAMPAIGN, P.C.

Internal Address:

Street Address: 36 West 44th Street

City: New York State: NY ZIP: 10036

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)

03/15/2002 BBYRNE 00000277 76014056

01 FC:481

40.00 DP

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.

H. John Campaign

Name of Person Signing

Signature

February 26, 2002

Date

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

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

**IN THE UNITED STATES
PATENT & TRADEMARK OFFICE**

Mark : COUP DE FOUET
Serial No. : 76/014,056
Date : March 31, 2000
Registrant : Caster by Assignment from Parfum Caron

APPOINTMENT OF DOMESTIC REPRESENTATIVE

GRAHAM, CAMPAIGN P.C., a professional corporation, with a business address of The Bar Building, 36 West 44th Street, New York, New York 10036-8178, U.S.A., is hereby appointed our representative in the United States upon whom notices or process in proceedings affecting the mark may be served.

CASTER

By:



Name: Patrick ALES
Title: Chief Executive
Dated: February 21, 2002.

**ENTRE LES PARTIES SOUSSIGNEES :**

La Société **PARFUMS CARON**, Société Anonyme, sise 99, rue du Faubourg Saint-Honoré, 75008 PARIS, représentée par *Patrick Aho, Président, Directeur Général.*

Ci-après désignée le « **TITULAIRE** »

D'UNE PART,

ET

La Société **CASTER**, Société Anonyme, dont le Siège Social est situé 35, avenue Franklin Roosevelt, 75008 PARIS, Représentée par *Alexandre de Labardenne, Directeur Général*

Ci-après désignée le « **BENEFICIAIRE** »,

D'AUTRE PART.

PREAMBULE

Le **TITULAIRE** est propriétaire de la marque dénomminative **COUP DE FOUET**, enregistrée et déposée en France et à l'étranger comme indiqué ci-dessous :

- ♦ Dénomination **COUP DE FOUET n° 1 557 602** enregistrée en France dès le 7 août 1950 et dont le dernier renouvellement a été effectué le 27 octobre 1999, pour les produits des classes 3 et 21, nommément : « *Parfum, parfumerie, savons. Peignes, éponges et autres ustensiles de toilette* ».
- ♦ Dénomination **COUP DE FOUET n° 1 981 219** enregistrée au Japon dès le 21 septembre 1987, régulièrement renouvelée le 21 septembre 1997, en classe japonaise 4 pour : « *Savons (non compris ceux médicamenteux), dentifrices, cosmétiques (non compris ceux médicamenteux), parfums* ».
- ♦ Dénomination **COUP DE FOUET** déposée le 31 mars 2000 sous n° 76/014 056, en cours d'enregistrement aux Etats-Unis en classe 3 pour : « *eaux de parfums* »

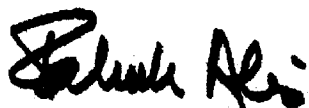
Le **BENEFICIAIRE** a approché le **TITULAIRE** aux fins d'acquérir lesdits enregistrements de marque.

PA

IL A DONC ETE ARRETE ET CONVENU CE QUI SUIIT :

1. Le **TITULAIRE**, par les présentes, cède au **BENEFICIAIRE**, qui en accepte la propriété pleine et entière, sans limitation ni réserve, l'ensemble des marques précitées définies dans le préambule.
2. De Convention Expresse entre les Parties, le **TITULAIRE** continuera de bénéficier d'une licence gracieuse d'une durée de 99 ans à compter du jour de signature des présentes, pour exploiter dans les points de vente sous *l'Enseigne CARON*, un parfum 'fontaine' sous la dénomination **COUP DE FOUET**.
3. En conséquence, à compter de la date de la signature des présentes, le **BENEFICIAIRE** pourra disposer des marques cédées comme d'un bien lui appartenant en toute propriété et jouissance et exercer tous les droits corrélatifs, à l'effet de quoi le **TITULAIRE** met et subroge le **BENEFICIAIRE** dans tous ses droits aux marques cédées.
4. Cette cession est consentie et acceptée en vertu du Conseil d'Administration du 19 décembre 2001, moyennant le prix de 45.000 Euros (Quarante Cinq Mille Euros), pour l'ensemble des enregistrements de marque cédés, somme que le **BENEFICIAIRE** versera au **TITULAIRE** à réception des certificats d'enregistrement.
5. Le **TITULAIRE** affirme que les marques présentement cédées, n'ont fait l'objet d'aucune cession antérieure, d'aucun nantissement, ni d'aucune concession d'un droit d'exploitation.
6. Tous pouvoirs sont donnés au porteur d'un exemplaire original des présentes pour procéder à l'inscription de la présente cession sur les registres tenus par l'INPI.

Fait à PARIS, le 20 décembre 2001.



PARFUMS CARON



CASTER

Fait en 3 exemplaires identiques, dont un pour chacune des parties et un pour inscription de la cession auprès de l'Institut National de la Propriété Industrielle.

LAWYERS' AND MERCHANTS' TRANSLATION BUREAU, INC.

Legal, Financial, Scientific, Technical and Patent Translations

11 BROADWAY

NEW YORK, NY 10004



Certificate of Accuracy

TRANSLATION

From French into English

STATE OF NEW YORK } s.s. :
COUNTY OF NEW YORK

On this day personally appeared before me
who, after being duly sworn, deposes and states: Elisabeth A. Lucas

That he is a translator of the **French** and English languages by profession and
as such connected with the **LAWYERS' & MERCHANTS' TRANSLATION**
BUREAU;

That he is thoroughly conversant with these languages;

That he has carefully made the attached translation from the original document
written in the **French** language; and

That the attached translation is a true and correct English version of such original,
to the best of his knowledge and belief.

SUBSCRIBED AND SWORN TO BEFORE ME
THIS

FEB 22 2002

Susan Tapley
Notary Public, State of New York
No. 01TA4999804

Qualified in Queens County
Certificate filed in New York County
and Kings County
Commission Expires July 27, 2002

Transfer of Trademark

BETWEEN THE UNDERSIGNED PARTIES:

The company **PARFUMS CARON**, a Société Anonyme, located at 99, rue du Faubourg Saint-Honoré, 75008 PARIS, represented by *Patrick [illegible surname]*,

Chairman and Managing Director

Hereinafter referred to as the “**PROPRIETOR**”

OF THE ONE PART,

AND

The company **CASTER**, a Société Anonyme, the Registered Office of which is at 35, avenue Franklin Roosevelt, 75008 PARIS,

Represented by *Alexander du [illegible surname]*, *Managing Director*

Hereinafter referred to as the “**BENEFICIARY**”

OF THE OTHER PART.

PREAMBLE

The **PROPRIETOR** owns the denominative trademark **COUP DE FOUET**, registered and filed in France and abroad as indicated hereinbelow:

- The name **COUP DE FOUET No. 1 557 602** registered in **France** from August 7, 1950, last renewed on October 27, 1999, for goods in classes 3 and 21, namely: “*perfume, perfumery, soaps. Combs, sponges and other toilet utensils*”.
- The name **COUP DE FOUET No. 1 981 219** registered in **Japan** from September 21, 1987, renewed in accordance with the rules on September 21, 1997, in Japanese class 4 for: “*Soaps (not medicinal soaps), dentifrices, cosmetics (not medicinal cosmetics), perfumes*”.

- The name **COUP DE FOUET** filed on March 31, 2000 under No. 76/014 056, currently being registered in the **United States** in class 3 for: “*perfume sprays*”.

The BENEFICIARY approached the PROPRIETOR for the purposes of acquiring said registered trademarks.

THE FOLLOWING HAS THEREFORE BEEN STIPULATED AND AGREED:

1. The **PROPRIETOR** hereby transfers to the **BENEFICIARY**, which accepts full and complete ownership thereof, without limitation or reserve, all of the above trademarks defined in the preamble.
2. By Express Agreement between the Parties, the **PROPRIETOR** shall continue to benefit from a free licence, for a period of 99 years from the date of signing of this agreement, to market a ‘fountain’ perfume under the name **COUP DE FOUET** at sales outlets under the *CARON Name*.
3. As a result, from the date of signing of this agreement, the **BENEFICIARY** may treat transferred trademarks as its own property of which it has full ownership and possession and assert all related rights, for which purpose the **PROPRIETOR** appoints and subrogates the **BENEFICIARY** to all its rights to the transferred trademarks.
4. This transfer is agreed and accepted by virtue of the Board of Directors on December 19, 2001 for a price of 45,000 euro (forty-five thousand euro), for all of the registered trademarks transferred, a sum which the **BENEFICIARY** shall pay to the **PROPRIETOR** on receipt of the registration certificates.
5. The **PROPRIETOR** confirms that the trademarks being transferred are not subject to any prior transfer, any pledge or any granting of a right of use.

6. All powers are given to the bearer of an original copy of this agreement to enter this transfer in the registers kept by INPI.

PARIS, December 20, 2001.

[Signature]

PARFUMS CARON

[Signature]

CASTER

Drawn up in 3 identical copies, one for each of the parties and one for registration of the transfer at the Institut National de la Propriété Industrielle.