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September 11, 2002

\* ADMITTED IN WASHINGTON STATE ONLY.

**VIA FACSIMILE: (703) 306-5995**

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

## RECORDATION FORM COVER SHEET - TRADEMARKS

**Re: Recordal of *Nunc Pro Tunc* Assignment**  
**From: SMP (1952), Inc.**  
**To: St. Martin's Press, LLC - Docket No. 3901028/106**

Sir:

Please record the attached original document(s) or copy(ies):

1. Submission Type: New
2. Conveyance Type: *Nunc Pro Tunc* Assignment  
Effective Date: May 1, 1999
3. Conveying party:  
SMP (1952), Inc. (formerly known as St. Martin's Press, Incorporated)  
a New York Corporation  
175 Fifth Avenue  
New York, NY 10010

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4. Receiving party:  
St. Martin's Press, LLC  
a New York limited liability company  
175 Fifth Avenue  
New York, NY 10010
5. Correspondent Name and Address:  
Deirdre Davis, Esq.  
Davis Wright Tremaine L.L.P.  
1740 Broadway  
25<sup>th</sup> Floor  
New York, NY 10019  
Tel.: 212 489-8230
6. Pages: 3
7. Trademark Registration number: 1,715,693
8. Number of Properties (total): 1
9. Fee Amount: \$40.00

Please charge our deposit account No. 040258 the sum of \$40 and any deficiency therein to cover the fee for Recordal of Assignment of three trademarks.

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.

Sincerely,

A handwritten signature in black ink, appearing to read 'Deirdre Davis', written over a horizontal line.

Deirdre Davis

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**CERTIFICATE OF FACSIMILE TRANSMISSION**

Facsimile Number: (703) 306-5995 - Assignment Branch

I certify that this correspondence is being sent by facsimile transmission  
via the above facsimile number to: Hon. Commissioner of Patents and Trademarks,  
Box Assignments, Washington, D.C. 20231, on the date indicated below.

Transmission Date: September 11, 2002

Signature: Maureen Gregan  
Maureen Gregan

**NUNC PRO TUNC TRADEMARK ASSIGNMENT**

**WHEREAS**, SMP (1952), Inc., a New York corporation, formerly known as St. Martin's Press, Incorporated, with its principal place of business at 175 Fifth Avenue, New York, New York 10010 ("Assignor"), is the owner of all the right, title, and interest in and to the trademark (the "Mark") set forth on Schedule A attached hereto, the registration for it, and all associated good will; and

**WHEREAS**, St. Martin's Press, LLC, a New York limited liability company, with its principal place of business at 175 Fifth Avenue, New York, New York 10010 ("Assignee"), is desirous of acquiring all, right, title and interest in and to the Mark and the registration associated with it, together with the goodwill of the business symbolized by and associated with the Mark and its respective registration and the right to sue for and recover damages for past infringements of the Mark and to stand in the place of Assignor in all matters related thereto;

**NOW, THEREFORE**, for good and valuable consideration, the receipt of which is hereby acknowledged, Assignor does hereby transfer and assign to Assignee, its successors and assignees, *nunc pro tunc* as of May 1, 1999, all right, title, and interest in and to the Mark and the registration associated with it, together with the goodwill of the

business symbolized by and associated with the Mark and its respective registration and the right to sue for and recover damages for past infringements of the Mark and to stand in the place of Assignor in all matters related thereto.

*David N. Kaye*

David N. Kaye  
SMP (1952), Inc.

Sworn to before me this  
31<sup>st</sup> day of SEPTEMBER, 2002

*Paul J. Slevin*

Notary Public

**PAUL J. SLEVIN**  
Notary Public State of New York  
No. 02SL4796239  
Qualified in New York County  
Commission Expires April 30, 192003

#85072

SCHEDULE A

| MARK            | REGISTRATION NUMBER        |
|-----------------|----------------------------|
| WHITMAN CLASSIC | Registration No. 1,715,693 |