

07-25-2002

ET

Docket No.:

Y

59473.00008



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To the Honorable Commissioner of Patents, Trademarks and Copyrights, U.S. Patent and Trademark Office, Washington, DC 20503-1418, attached original documents or copy thereof.

1. Name of conveying party(ies):

Duracare Equipment, L.C., d/b/a Winnie Walker Company and Winmed Products Company

7.23.02

- Individual(s)
- General Partnership
- Corporation-State
- Other Limited Liability Company
- Association
- Limited Partnership

Additional names(s) of conveying party(ies)  Yes  No

3. Nature of conveyance:

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

Execution Date: July 1, 2002

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

Name: Medical Depot, Inc.

Internal Address:

Street Address: 55 Sea Lane

City: Farmingdale State: NY ZIP: 11735

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

If assignee is not domiciled in the United States, a domestic designation is  Yes  N  
(Designations must be a separate document from Additional name(s) & address(es)  Yes  N

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

A. Trademark Application No.(s)

75/720,915; 75/773,637; 75/773,640;  
75/691,377; 75/773,638; 75/773,641;  
75/773,636; 75/773,639; 75/802,882;

Additional numbers

B. Trademark Registration No.(s)

1,989,838; 2,002,602;  
1,989,839; 2,553,261;  
1,991,106;

Yes  No

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

Name: Karl M. Zielaznicki, Esq.

Internal Address: Jenkins & Gilchrist Parker Chapin LLP

Street Address: The Chrysler Building

405 Lexington Avenue

City: New York State: NY ZIP: 10174

6. Total number of applications and registrations involved:.....

14

7. Total fee (37 CFR 3.41):.....\$ \$365.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

500-672

FINANCE SECTION  
JUL 23 AM 11:21

07/24/2002 DBYRNE 00000226 75720915

DO NOT USE THIS SPACE

01 FC:481 40.00 DP  
02 FC:482 325.00 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.

Karl M. Zielaznicki

Name of Person Signing

Signature

July 19, 2002

Date

Total number of pages including cover sheet, attachments, and

5

TRADEMARK

TRADEMARK ASSIGNMENT

WHEREAS, simultaneously with the execution and delivery of this Trademark Assignment (this "Assignment"), Duracare Medical Equipment, L.C., a Florida limited liability company, also d/b/a Winnie Walker Company and Winmed Products Company (collectively, the "Assignor") is selling certain trademark assets and other assets, including, without limitation, all of the right, title and interest of the Assignor in and to the Trademarks (as such term is hereinafter defined) to Medical Depot, Inc., a Delaware corporation ("Assignee") pursuant to a certain Asset Purchase Agreement dated as of July 1, 2002, (the "Asset Purchase Agreement"), by and among the Assignor, the Assignee and Bruce C. Russell, a Florida resident.

WHEREAS, the Assignor is owner of all right, title and interest in the marks and related registrations and applications as set forth on Schedule A hereto (collectively, the "Trademarks"); and

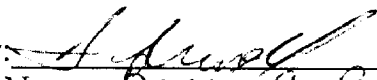
WHEREAS, the Assignee is desirous of acquiring all of the Assignor's right, title and interest in and to all of the Trademarks, including, without limitation, any registrations and applications thereof, in the United States of America and its territories and possessions.

NOW THEREFORE, in consideration for the good and valuable consideration set forth in the Asset Purchase Agreement, the receipt and sufficiency of which is hereby acknowledged, the Assignor hereby sells, assigns, transfers and conveys to the Assignee, its successors and assigns, all of the Assignor's right, title and interest, if any, in and to all of the Trademarks, including, without limitation, any applications and registrations therefor, together with that portion of Assignor's business in connection with which Assignor had a *bona fide* intention to use the Trademarks and any goodwill of the business relating to the Trademarks, in the United States and its territories and possessions, all causes of action for any and all past infringements of the rights being assigned and the right to collect and retain any proceeds therefrom.

The Assignor expressly agrees to execute, acknowledge and deliver, such documents and other instruments as may be requested by the Assignee to evidence or effectuate the sale, assignment, transfer, conveyance and delivery of the Trademarks to the Assignee.

IN WITNESS WHEREOF, the Assignor has caused this Assignment to be executed as of this 1<sup>st</sup> day of July 2002.

Duracare Medical Equipment, L.C.

By:   
Name: BRUCE C. RUSSELL  
Title: MANAGER

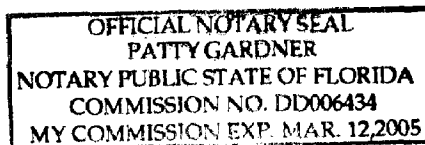
TRADEMARK

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STATE OF *Florida* )  
 ) ss:  
COUNTY OF *Lee* )

On the 1<sup>st</sup> day of July in the year 2002 before me *Patty GARDNER* personally came *Bruce C. Russell* to me known, who, by me duly sworn, did depose and say that deponent is the *MANAGER* of Duracare Medical Equipment, L.C., the limited liability company described in, and which executed the foregoing Assignment, that deponent knows the seal of the corporation, that the seal affixed to the Assignment, that deponent signed deponent's name to the foregoing Assignment by order of said corporation, *who is personally KNOWN TO ME.*

*Patty Gardner*  
Notary Public



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SCHEDULE A

1. US Trademarks Registrations in the name of Winnie Walker Company

<u>Mark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>
GRAND NANNIE	1,989,838	July 30, 1996
NANNIE WALKER	1,989,839	July 20, 1996
WINNIE WALKER	1,991,106	August 6, 1996
MIMI LITE	2,002,602	September 24, 1996

2. US Trademarks Registrations in the name of Winmed Products Company

<u>Mark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>
TANGO	2,553,261	March 26, 2002

3. US Trademark Applications filed by Winmed Products Company

<u>Mark</u>	<u>Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
RUMBA	75/720,915	March 28, 2000	Abandoned

4. US Trademark Applications filed by Duracare Medical Equipment, L.C.

<u>Mark</u>	<u>Serial No.</u>	<u>Filing Date</u>
TOURIST LITE	75/691,377	April 26, 1999
MOBILITY USA	75/773,636	August 12, 1999
PAVAN	75/773,637	August 12, 1999
ANELLO	75/773,638	August 12, 1999
PIVA	75/773,639	August 12, 1999
CHANSON	75/773,640	August 12, 1999
WINMED PRODUCTS COMPANY	75/773,641	August 12, 1999
TOURIST XPRESS	75/802,882	September 20, 1999