

09-16-2002

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To the Honorable Commission

the attached original documents or copy thereof.

1. Name of conveying party(ies):

Comstock Group, Inc.

- Individual(s)
- General Partnership
- Corporation-New York
- Other
- Association
- Limited Partnership

MRD
9-9-02

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

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

Name: **L. K. Comstock & Company, Inc.**
Address: **1 North Lexington Avenue**
City: **White Plains State: New York** Zip: **10601**

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-New York
- Other

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

FINANCE DIRECTOR
SEP 11 2002

3. Nature of conveyance:

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

Execution Date: August 29, 2002

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

A. Trademark Applications

<u>Mark</u>	<u>Serial No.</u>
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B. Trademark Registrations

<u>Mark</u>	<u>Reg. No.</u>
COMSTOCK COMPANY & DESIGN	1,192,359

Additional numbers attached? Yes No

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

Name: Darby & Darby P.C.
Street Address: Post Office Box 5257
City: New York State: New York Zip: 10150-5257

6. Total number of applications and registrations involved:

1

7. Total fee (37 CFR 3.41):.....\$40

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number: 04-0100

(Attach duplicate copy of this page if paying by deposit account)

9768/3J562 EXPRESS MAIL CERTIFICATE
Date 9/9/02 Label No. 0186684727 US
I hereby certify that on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

DO NOT USE THIS SPACE

Randi S. Miller
Name (Print) Signature

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.

Randi S. Miller
Name of Person Signing

Randi S. Miller
Signature

September 9, 2002
Date

09/13/2002 DBYRNE 00000054 1192359

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

4

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

9708/3J562

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Service Mark: COMSTOCK COMPANY & C-DESIGN

Reg. No.: 1,192,359

Issued: March 16, 1982

Class: 42

Assignee: L.K. Comstock & Company, Inc.

To the Assistant Commissioner
for Trademarks

**DECLARATION OF ROBERT HERSCHENFELD
RE ASSIGNMENT OF REGISTRATION**

I, ROBERT HERSCHENFELD, declare:

1. I am Vice President and an officer of L.K. Comstock & Company, Inc., a corporation that is organized and existing under and by virtue of the laws of New York and has a business address at 1 North Lexington Avenue, White Plains, N.Y. 10601.

2. I was an officer of L.K. Comstock & Company, Inc. on April 7, 1997.

3. Comstock Group, Inc. assigned the trademark COMSTOCK COMPANY AND C-DESIGN and Registration No. 1,192,359 ("Mark"), together with the good will of the business associated with the Mark, to L.K. Comstock & Company, Inc. on April 7, 1997.

4. Since April 7, 1997 L.K. Comstock & Company, Inc. has continuously and openly used the Mark.

5. I make this Declaration based on my personal knowledge and belief.

6. Comstock Group, Inc., which was related to L.K. Comstock & Company, Inc., is no longer in existence.

7. I am authorized to execute this declaration on behalf of Assignee, L.K. Comstock & Company, Inc.; all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and, further, these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the U.S. Code and that such willful false statements may jeopardize the validity of the registration.

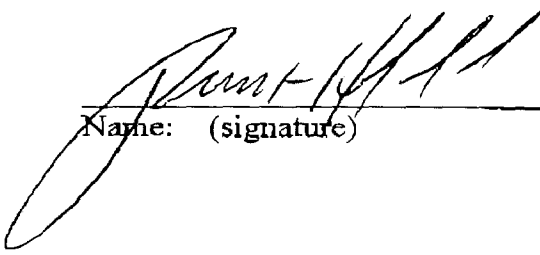
POWER OF ATTORNEY

Assignee hereby appoints as its attorneys, Joseph R. Robinson and Randi S. Miller, members of the Bar of the State of New York, with offices at Darby & Darby P.C., 805 Third Avenue, New York, New York 10022, and a telephone number of (212) 527-7700, each with full power of association, revocation and substitution, to record this Assignment, to file a combined Sections 8 & 9 declaration, and to transact all business in the Patent and Trademark Office in connection therewith, all correspondence to be addressed to the foregoing address.

L. K. Comstock & Company, Inc.

Robert Herschenfeld

Name: (typed or printed)


Name: (signature)

Vice President

Title/Position

August 19, 2002
Date