

01-23-2003



Form PTO-1594 (Rev. 10/02) OMB No. 0651-0027 (exp. 6/30/2005)

RE 7

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U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

Tab settings

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

National Bedding Company

1-21-03

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

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

3. Nature of conveyance:

- Assignment Merger Security Agreement Change of Name Other

Execution Date: 11/30/2002

2. Name and address of receiving party(ies)

Name: Serta, Inc.

Internal Address:

Street Address: 325 Spring Lake Drive

City: Itasca State: IL Zip: 60143

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

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No

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

A. Trademark Application No.(s) 78/157916

B. Trademark Registration No.(s)

Additional number(s) attached Yes No

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

Name: Mary Margaret Murray, Esq.

Internal Address: Gardner, Carton & Douglas

Street Address: 191 N. Wacker Drive,

Suite 3700

City: Chicago State: IL Zip: 60606

6. Total number of applications and registrations involved:

7. Total fee (37 CFR 3.41) \$ 40.00

- Enclosed Authorized to be charged to deposit account

8. Deposit account number:

DO NOT USE THIS SPACE

9. Signature.

Mary Margaret Murray Name of Person Signing

Mary Margaret Murray Signature

January 14, 2003

Date

Total number of pages including cover sheet, attachments, and document: 2

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

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TRADEMARK REEL: 002653 FRAME: 0758

**UNITED STATES TRADEMARK ASSIGNMENT**

THIS ASSIGNMENT, effective as of this 30<sup>TH</sup> day of November, 2002, is by and between National Bedding Company ("Assignor"), a corporation organized under the laws of Illinois, whose postal address is 5401 Trillium Boulevard, Suite 250, Hoffman Estates, Illinois 60192, and Serta, Inc. ("Assignee"), a corporation organized under the laws of Delaware, whose postal address is 325 Spring Lake Drive, Itasca, Illinois 60143.

WHEREAS, Assignor is the owner of and has adopted, used and is using the trademark, WHISPER FOAM, for which Application Serial No. 78/157,916 is pending before the United States Patent and Trademark Office ("the Mark"); and

WHEREAS, Assignee wishes to acquire Assignor's entire right, title and interest in and to the Mark, together with the goodwill of the business in connection with which the Mark is used;

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor does hereby sell, grant, assign, transfer, convey and deliver to Assignee all of its right, title and interest in and to the Mark worldwide, together with the goodwill of the business in connection with which the Mark is used.

IN WITNESS WHEREOF, the Assignor has caused this assignment to be signed and executed by its duly authorized officer as of the date and year above written.

**NATIONAL BEDDING COMPANY**

By: BARBARA J. BRADFORD  
Name: Barbara J. Bradford  
Title: Senior Vice President - Marketing & Merchandising

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