

04-18-2003

Docket No.:

23324/11

Tab settings → → → ▼

4-16-03 **TRAD**



102423808

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

1. Name of conveying party(ies):

**CONGRESS FINANCIAL CORPORATION  
(NEW ENGLAND)**

2003 APR 16 AM 9:01  
**FINANCE SECTION**

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

Name: **CAPITALSOURCE FINANCE LLC**

Internal Address: **12th Floor**

Street Address: **4445 Willard Avenue**

City: **Chevy Chase** State: **MD** ZIP: **20815**

- ☐ Individual(s) ☐ Association  
☐ General Partnership ☐ Limited Partnership  
☒ Corporation-State **Massachusetts**  
☐ Other

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

3. Nature of conveyance:

- ☐ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☒ Other **Assignment of Security Agreement**

Execution Date: **April 2, 2003**

- ☐ Individual(s) citizenship  
☐ Association  
☐ General Partnership  
☐ Limited Partnership  
☐ Corporation-State  
☒ Other **Limited Liability Company**

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)

**76/370,573** Filed 2/13/02  
**76/337,760** Filed 11/14/0  
**76/287,169** Filed 7/18/01

B. Trademark Registration No.(s)

**2,582,757** **2,500,751** **2,371,933** **2,142,667**  
**2,525,666** **2,314,015** **2,144,717** **1,882,142**  
**2,494,784** **2,308,236** **2,174,702**

Additional numbers ☐ Yes ☒ No

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

Name: **Mark S. Leonardo, Esq.**

Internal Address: **Brown Rudnick Berlack Israels LLP**

Street Address: **One Financial Center**

**18th Floor, Box IP**

City: **Boston** State: **MA** ZIP: **02111**

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:

**50-0369**

04/17/2003 EDOOPER 00000150 76370573

DO NOT USE THIS SPACE

01 FC:0321  
02 FC:0322

40.00 DP  
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.

**Mark S. Leonardo, Esq. (Reg. No. 41,433)**

Name of Person Signing

Signature

Date

**April 10, 2003**

Total number of pages including cover sheet, attachments, and **TRADE MARK**

REEL: 002713 FRAME: 0811

ASSIGNMENT OF TRADEMARK AND TRADEMARK APPLICATIONS  
SECURITY AGREEMENT

ASSIGNMENT made as of the 2 day of April, 2003, by CONGRESS FINANCIAL CORPORATION (NEW ENGLAND), a Massachusetts corporation ("Assignor"), to CAPITALSOURCE FINANCE LLC, a Delaware limited liability company ("Assignee").

W I T N E S S E T H

WHEREAS, FETCO HOME DÉCOR, INC. a Massachusetts corporation, entered into a Trademark and Trademark Application Security Agreement, dated as of October 2, 2002 (the "Agreement") with Assignor with respect to certain trademarks and trademark applications as more particularly set forth and described in Schedule A annexed hereto and made a part hereof; and

WHEREAS, Assignor desires to transfer and assign to Assignee all of Assignor's right, title and interest in and to such agreement and such trademarks and trademark applications;

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby grant, transfer, assign, convey and set over to Assignee, its successors, assigns and legal representatives, all of the right, title and interest of Assignor in and to the trademarks and trademark applications set forth and described in Schedule A annexed hereto. Assignor makes no representation whatsoever as to the current status of trademarks and trademark applications listed on Schedule A as a "registration" or as an "application", including, without limitation, as to whether such issuances have been withdrawn or invalidated, or otherwise affected, or such applications have been withdrawn, denied, or granted or otherwise affected.

IN WITNESS WHEREOF, Assignor has duly executed this Assignment as of the date  
and year first above written.

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CONGRESS FINANCIAL CORPORATION  
(NEW ENGLAND)

By: Melissa A Post  
Name: Melissa A Post  
Title: Vice President

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss

April 2, 2003

Then personally appeared the above named Melissa A Post and stated that he/she is a duly authorized Vice President of Congress Financial Corporation (New England) (the "Corporation") and acknowledged the foregoing instrument to be his/her free act and deed, and the free act and deed of said Corporation, before me.

Constance M Richard  
Notary Public Constance M Richard  
My Commission Expires: 10/24/08

SCHEDULE A TO  
TRADEMARK SECURITY AGREEMENT

TRADEMARKS, TRADEMARK REGISTRATION,  
SERVICE MARKS

<u>Trademark Registrations</u>	<u>Registration Number(s)</u>	<u>Date of Registration</u>
Union Square	2582757	6/18/2002
Vintage Woods	2525666	1/1/2002
Viewpoints	2494784	10/2/2001
Serenade	2500751	10/23/2001
Children's Corner	2314015	2/1/2001
Beacon Hill	2308236	1/18/2000
Cornici Milano	2371933	8/1/2000
S Studio Eighty-Four	2144717	3/17/1998
S Studio Eighty Four	2174702	7/21/1998
Studio 84	2142667	3/10/1998
Fetco International	1882142	3/7/1995
<u>Trademark Applications</u>	<u>Application Number(s)</u>	<u>Filing Date</u>
Fetco	76/370573	Pending
Fetco Home Décor	76/337760	Pending
Lady Grey	76/287169	Pending