

4/26/04

05-04-2004



Docket No.:

KLUFT-68229

Tab settings

To the Director of the United States Patent and

102736541

ed original documents or copy thereof.

1. Name of conveying party(ies):

Eastman House of California, Inc.

- Individual(s)
- General Partnership
- Corporation-State **California**
- Other
- 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: April 15, 2004

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

Name: E.S. Kluff & Company, LLC

Internal Address: \_\_\_\_\_

Street Address: 1701 Lexington Road

City: Beverly Hills State: CA ZIP: 90210

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

B. Trademark Registration No.(s)

<del>624,995</del>	644,212	913,355
1,024,704	1,493,145	1,895,115

Additional numbers  Yes  No

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

Name: I. Morley Drucker, Esq.

Internal Address: \_\_\_\_\_

FULWIDER PATTON LEE & UTECHT, LLP

Street Address: 6060 Center Drive/Tenth Floor

05/03/2004 METACHE 00000086 624995

01 FC:0521	40.00 OP
02 FC:0522	125.00 OP

City: Los Angeles, State: CA ZIP: 90045

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

6

7. Total fee (37 CFR 3.41):.....\$ \$165.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

50-2313

DO NOT USE THIS SPACE

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.

I. Morley Drucker, Esq.

Name of Person Signing

Signature

April 21, 2004

Date

Total number of pages including cover sheet, attachments, and

5

Mail documents to be recorded with required cover sheet information to:  
Mail Stop Recordation Services  
Director of the United States Patent and Trademark Office  
P.O. Box 1450, Alexandria, VA 22313-1450

TRADEMARK  
REEL: 002960 FRAME: 0920

## ASSIGNMENT

WHEREAS, Eastman House of California, Inc., a California corporation located at 401 S. Roosevelt Avenue, Burlington, Iowa 52601-1685 (hereinafter "Assignor"), is the owner of certain trademarks including those represented in certain United States Trademark registrations, common law trademarks represented in expired registrations, registered domain names, and in unregistered trade name(s), all as listed on Schedule A ("Trademark Properties"); and,

WHEREAS, E.S. Kluff & Company, LLC, a California limited liability company located at 1701 Lexington Road, Beverly Hills, California 90210 (hereinafter "Assignee"), desires to acquire said Trademark Properties;

### NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN

Be it known that for and in consideration of the sum of One and No/100 Dollars (\$1.00) and other good and valuable consideration said Eastman House of California, Inc., hereby acknowledges the aforesaid contribution, assignment and transfer, and by these presents does contribute, assign and transfer unto E.S. Kluff & Company, LLC the entire right, title and interest in and to the Trademark Properties, including the Certificates of Registrations, together with the goodwill of the business symbolized by the Trademark Properties, together with all rights of action, in law or in equity, for any past or future infringement thereof. Assignor agrees to promptly execute and deliver to Assignee or its legal representatives all papers, instruments or affidavits required to carry out and record this transfer and assignment of the Trademark Properties to Assignee.

The Trademark Properties are to be held and enjoyed by E.S. Kluff & Company, LLC for its own use and benefit and for its successors and assigns to the full end of the present or extended term for which Certificates of Registrations have been granted, and, as to those Trademark Properties where no Certificates of Registration are presently in force, to the full end

of their lawful use in commerce, as fully and entirely as the same would have been held by Eastman House of California, Inc. if this assignment and contribution had not been made.

**IN WITNESS WHEREOF**, the parties hereto have caused this Assignment to be executed and effective as of the 15 day of APRIL, 2004.

WITNESS Assignor's hand:

EASTMAN HOUSE OF CALIFORNIA, INC.

By: [Signature]  
Name: Gary H. Wells  
Title: Secretary & Treasurer

STATE OF CALIFORNIA )  
  ) SS:  
COUNTY OF LOS ANGELES )

Before me, a Notary Public, in and for said County and State, personally appeared the above-named for Assignor, GARY HOWARD, to me personally known, and who executed the foregoing Assignment in my presence and acknowledged the execution thereof as his free and voluntary act and deed for the uses and purposes therein set forth and expressed.

[Signature]  
Notary Public

My Commission Expires:

FEB 5, 2005



### Schedule A

<i>U.S. Trademark Registrations</i>		
<i>Tm. Reg. No.</i>	<i>Mark</i>	<i>Reg. Date</i>
1,895,115	AIRELOOM	5/23/95
1,493,145	RIP VAN WINKLE	6/21/88
644,212	SLUMBERLOUNGE	4/16/57
1,024,704	SLUMBERLURE	11/11/75
913,355	SUPER FETHERBED	6/8/71
624,994	VITAGENIC	4/10/56

<i>U.S. Trademark Lapsed Registrations</i>		
<i>Tm. Reg. No.</i>	<i>Mark</i>	<i>Lapsed</i>
570,013	AIRELOOM & Design	2/3/93
1,194,723	ELECTRAJUST (Stylized)	3/25/03
1,188,683	1 FIREFIGHTER & Design	12/17/02
624,995	HOLLANDAIRE (Stylized)	1/13/97

<i>Unregistered Trade Name</i>
AIRELOOM HANDCRAFTED SLEEP PRODUCTS

Also see attached.