08-27-2004

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6-23-03

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

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.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):
Bernard Chaus, Inc.
530 Seventh Avenue
New York, New York 10018

6-23-03

☐ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☒ Corporation-State: New York
☐ Other

7-23-04

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

2. Name and address of receiving party(ies)
Name: The CIT Group/Commercial Services, Inc., as Agent
Internal Address: 1211 Avenue of the Americas
Street Address: 1211 Avenue of the Americas
City: New York State: New York Zip: 10036

☐ Individual(s) citizenship
☐ Association
☐ General Partnership
☐ Limited Partnership
☒ Corporation-State: 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

3. Nature of conveyance:
☐ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☒ Other Corrective Document, Reel#002611, Frame#0816
Execution Date: 09/27/02

4. Application number(s) or registration number(s):
A. Trademark Application No.(s)
SEE ATTACHED SCHEDULE A
B. Trademark Registration No.(s)
SEE ATTACHED SCHEDULE A
Additional number(s) attached ☒ Yes ☐ No

5. Name and address of party to whom correspondence concerning document should be mailed:
Name: Federal Research
Internal Address:
Street Address: 1030 Fifteenth Street, NW
Suite 920
City: Washington State: DC Zip: 20005

6. Total number of applications and registrations involved: 7

7. Total fee (37 CFR 3.41).....$ 190.00
☐ Enclosed
☐ Authorized to be charged to deposit account

8. Deposit account number:
(Attach duplicate copy of this page if paying by deposit account)

RECEIVED 2003 JUN 23 PM 3:32 ASSIGNMENT DIV

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.

Francella H. Ashby — Name of Person Signing
Francella H. Ashby — Signature
April 8, 2003 — Date

Total number of pages including cover sheet, attachments, and document: 5

06/24/2003 GTON11 00000005 2418302
01 FC:8521 40.00 OP
02 FC:8522 150.00 OP

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

1133989.3/MXS/11542/037 9/25/2002

SCHEDULE A

Schedule A to a Trademark Assignment of Security dated September 27, 2002, by and between Bernard Chaus, Inc. and The CIT Group/Commercial Services, Inc.

REGISTRATION NO. OR APPLICATION NO.	REGISTRATION OR FILING DATE	MARK
CHAUS & CO.		Pending
JOSEPHINE CHAUS	January 2, 2001	2418302
CHAUS	March 10, 1998	2142502
J. CHAUS		Pending
CHAUS SPORT	November 3, 1992	1729446
CHAUS SPORT		Pending
MS. CHAUS	June 25, 1985	1344543
CHAUS WOMAN	July 17, 1984	1286105
CHAUS	February 28, 1984	1268658
JOSEPHINE	July 7, 1981	1160142

FORM PTO-1594
1-31-92

11/7/02

RECORDATION FORM COVER SHEET

11-07-2002

102274899

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Tab settings ⇒ ⇒ ⇒

To the Honorable Commissioner of Pa ... attached original documents or copy thereof.

1. Name of conveying party(ies):
Bernard Chaus, Inc.
530 Seventh Avenue
New York, New York 10018

11-7-02

☐ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☒ Corporation-State: New York
☐ Other

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

2. Name and address of receiving party(ies):
Name: The CIT Group/Commercial Services, Inc.
Internal Address:
Street Address: 1211 Avenue of the Americas
City: New York State: NY ZIP: 10036

☐ Individual(s) citizenship
☐ Association
☐ General Partnership
☐ Limited Partnership
☒ Corporation-State 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

3. Nature of conveyances:
☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Execution Date: September 27, 2002

4. Application Number(s) or registration number(s):
A. Trademark Application.(s)
SEE ATTACHED SCHEDULE A

B. Trademark registration No.(s)
SEE ATTACHED SCHEDULE A

Additional numbers attached? ☒ Yes ☐ No

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

FEDERAL RESEARCH
1030 Fifteenth Street, NW, Suite 920
Washington, DC 20005

City: State: ZIP:

6. Total number of applications and registrations involved: 7

7. Total fee (37 CFR 3.41): $ 290.00
☐ Enclosed
☐ Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit accoun

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RECEIVED OPR 2002 NOV 7 PM 3:56 ASSIGNMENTS DIV

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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

Francella H. Ashby — Francella H. Ashby — November 5, 2002
Name of Person Signing — Signature — Date

Total number of pages including coversheet, attachments and document: 5

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

11/08/2002 GTON11 00000058 2418302
01 FC:8521 40.00 OP
02 FC:8522 150.00 OP

SCHEDULE A

Schedule A to a Trademark Assignment of Security dated September 27, 2002, by and between Bernard Chaus, Inc. and The CIT Group/Commercial Services, Inc.

REGISTRATION NO. OR APPLICATION NO.	REGISTRATION OR FILING DATE	MARK
CHAUS & CO.		Pending
JOSEPHINE CHAUS	January 2, 2001	2418302
CHAUS	March 10, 1998	2142502
J. CHAUS		Pending
CHAUS SPORT	November 3, 1992	1729446
CHAUS SPORT		Pending
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CHAUS WOMAN	July 17, 1984	1286105
CHAUS	February 28, 1984	1268658
JOSEPHINE	July 7, 1981	1160142

1133989.3/MXS/11542/037 9/25/2002

TRADEMARK ASSIGNMENT OF SECURITY

WHEREAS, Bernard Chaus, Inc., a corporation formed under the laws of Delaware, located at 530 Seventh Avenue, New York, New York 10018 ("Company"), has adopted, used and is using the marks shown in the attached Schedule A (the "Marks"), for which there are registrations or applications in the United States Patent and Trademark Office under the numbers shown in the attached Schedule A; and

WHEREAS, the Company is obligated to The CIT Group/Commercial Services, Inc. ("CIT"), as agent for the lenders ("Agent") and CIT and the other financial institutions as lenders (the "Lenders") pursuant to (i) a certain Financing Agreement, dated the date hereof, between the Lenders and the Company and (ii) a certain Grant of Security Interest in Patents, Trademarks and Licenses, dated the date hereof, made by the Company in favor of the Lenders (as each may be amended, modified, restated or supplemented from time to time, collectively, the "Agreements"); and

WHEREAS, pursuant to the Agreements, the Company is granting to the Lenders a security interest in certain of the Marks, the goodwill of the business symbolized by the Marks, and the registrations and applications therefor.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, the Company does hereby assign unto the Lenders and grant to the Lenders a security interest in and to the Marks, together with the goodwill of the business symbolized by the Marks, and registrations and applications therefor, which assignment and security interest shall secure all the Obligations as defined in the Agreements and in accordance with the terms and provisions thereof; provided, however, that notwithstanding anything herein to the contrary, any security interest in the trademark, trade name, logo and/or word "Josephine" is subject to that certain Agreement by and between QVC, Inc. ("QVC") and the Company dated as of July 17, 2002.

STATE OF NEW YORK)
: ss.:
COUNTY OF NEW YORK)

On this 26th day of September, 2002, before me personally came Nicholas DiPaolo, to me known, who, being by me duly sworn, did depose and say that ~~s~~/he is the Chief Operating Officer of Bernard Chaus, Inc., the corporation described in and which executed the foregoing instrument; and that ~~s~~/he signed ~~her~~/his name thereto by order of the board of directors of said corporation.

Francella H. Ashby
Notary Public

FRANCELLA H. ASHBY
Notary Public, State Of New York
No. 01AS5053925
Qualified In New York County
Commission Expires Jan. 2, 2006

STATE OF NEW YORK)
: ss.:
COUNTY OF NEW YORK)

eCIT Group/
mmercial Services, Inc.

On this 26th day of September, 2002, before me personally came John M. Szwalek, to me known, who, being by me duly sworn, did depose and say that ~~s~~/he is the Vice President of ~~Bernard Chaus, Inc.~~, the company described in and which executed the foregoing instrument; and that ~~s~~/he was authorized to sign ~~her~~/his name thereto on behalf of said company.

Francella H. Ashby
Notary Public

FRANCELLA H. ASHBY
Notary Public, State Of New York
No. 01AS5053925
Qualified In New York County
Commission Expires Jan. 2, 2006

1133989.3/MXS/11542/037 9/25/2002

The Company expressly acknowledges and affirms that the rights and remedies of the Lenders with respect to the assignment and security interest granted hereby are more fully set forth in the Agreements.

Dated: New York, New York
September 27, 2002

Witness:

Francella H. Ashley

BERNARD CHAUS, INC.

By: Nicholas DiPaolo
Name: Nicholas DiPaolo
Its: Chief Operating Officer

Witness:

Francella H. Ashley

THE CIT GROUP/COMMERCIAL SERVICES, INC., AS AGENT

By: [signature]
Name: John M. Sawatek
Its: Vice President

1133989.3/MXS/11542/037 9/25/2002

TRADEMARK ASSIGNMENT OF SECURITY

WHEREAS, Bernard Chaus, Inc., a corporation formed under the laws of Delaware, located at 530 Seventh Avenue, New York, New York 10018 ("Company"), has adopted, used and is using the marks shown in the attached Schedule A (the "Marks"), for which there are registrations or applications in the United States Patent and Trademark Office under the numbers shown in the attached Schedule A; and

WHEREAS, the Company is obligated to The CIT Group/Commercial Services, Inc. ("CIT"), as agent for the lenders ("Agent") and CIT and the other financial institutions as lenders (the "Lenders") pursuant to (i) a certain Financing Agreement, dated the date hereof, between the Lenders and the Company and (ii) a certain Grant of Security Interest in Patents, Trademarks and Licenses, dated the date hereof, made by the Company in favor of the Lenders (as each may be amended, modified, restated or supplemented from time to time, collectively, the "Agreements"); and

WHEREAS, pursuant to the Agreements, the Company is granting to the Lenders a security interest in certain of the Marks, the goodwill of the business symbolized by the Marks, and the registrations and applications therefor.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, the Company does hereby assign unto the Lenders and grant to the Lenders a security interest in and to the Marks, together with the goodwill of the business symbolized by the Marks, and registrations and applications therefor, which assignment and security interest shall secure all the Obligations as defined in the Agreements and in accordance with the terms and provisions thereof; provided, however, that notwithstanding anything herein to the contrary, any security interest in the trademark, trade name, logo and/or word "Josephine" is subject to that certain Agreement by and between QVC, Inc. ("QVC") and the Company dated as of July 17, 2002.

1133989.3/MXS/11542/037 9/25/2002

STATE OF NEW YORK)
: ss.:
COUNTY OF NEW YORK)

On this 26th day of September, 2002, before me personally came Nicholas DiPaolo, to me known, who, being by me duly sworn, did depose and say that ~~s~~/he is the Chief Operating Officer of Bernard Chaus, Inc., the corporation described in and which executed the foregoing instrument; and that ~~s~~/he signed ~~her~~/his name thereto by order of the board of directors of said corporation.

Francella H. Ashby
Notary Public

FRANCELLA H. ASHBY
Notary Public, State Of New York
No. 01AS5053925
Qualified In New York County
Commission Expires Jan. 2, 2006

STATE OF NEW YORK)
: ss.:
COUNTY OF NEW YORK)

The CIT Group/ Commercial Services, Inc.

On this 26th day of September, 2002, before me personally came John M. Szwalek, to me known, who, being by me duly sworn, did depose and say that ~~s~~/he is the Vice President of ~~Bernard Chaus, Inc.~~, the company described in and which executed the foregoing instrument; and that ~~s~~/he was authorized to sign ~~her~~/his name thereto on behalf of said company.

Francella H. Ashby
Notary Public

FRANCELLA H. ASHBY
Notary Public, State Of New York
No. 01AS5053925
Qualified In New York County
Commission Expires Jan. 2, 2006

1133989.3/MXS/11542/037 9/25/2002

The Company expressly acknowledges and affirms that the rights and remedies of the Lenders with respect to the assignment and security interest granted hereby are more fully set forth in the Agreements.

Dated: New York, New York
September 27, 2002

Witness:

Francella H. Ashley

BERNARD CHAUS, INC.

By: Nick DiPaolo
Name: Nicholas DiPaolo
Its: Chief Operating Officer

Witness:

Francella H. Ashley

THE CIT GROUP/COMMERCIAL SERVICES, INC., AS AGENT

By: [signature]
Name: John M Sawdeck
Its: Vice President

1133989.3/MXS/11542/037 9/25/2002

RECORDED: 11/07/2002

TRADEMARK
REEL: 002611 FRAME: 0820

RECORDED: 06/23/2003

TRADEMARK
REEL: 003039 FRAME: 0626