

2 lists

02-24-2005



Form PTO-1594
(Rev. 03/01)
OMB No. 0651-0027 (exp. 5/31/2002)

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

102947422

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

<p>1. Name of conveying party(ies):</p> <p>Bob's Discount Furniture, Inc.</p> <p><input type="checkbox"/> Individual(s) <input type="checkbox"/> Association</p> <p><input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership</p> <p><input checked="" type="checkbox"/> Corporation-State <u>CT</u></p> <p><input type="checkbox"/> Other _____</p> <p>Additional name(s) of conveying party(ies) attached? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies)</p> <p>Name: <u>Bob's Discount Furniture, LLC</u></p> <p>Internal _____</p> <p>Address: _____</p> <p>Street Address: <u>24 Payton Street</u></p> <p>City: <u>Lowell</u> State: <u>MA</u> Zip: <u>01852</u></p> <p><input type="checkbox"/> Individual(s) citizenship _____</p> <p><input type="checkbox"/> Association _____</p> <p><input type="checkbox"/> General Partnership _____</p> <p><input type="checkbox"/> Limited Partnership _____</p> <p><input type="checkbox"/> Corporation-State _____</p> <p><input checked="" type="checkbox"/> Other <u>Massachusetts Limited Liability Co</u></p> <p>If assignee is not domiciled in the United States, a domestic representative designation is attached: <input type="checkbox"/> Yes <input type="checkbox"/> No (Designations must be a separate document from assignment)</p> <p>Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>3. Nature of conveyance:</p> <p><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger</p> <p><input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name</p> <p><input type="checkbox"/> Other _____</p> <p>Execution Date: <u>1/31/05</u></p>	

<p>4. Application number(s) or registration number(s):</p> <p>A. Trademark Application No.(s) <u>78/402,194;</u> <u>78/402,187; 78/402,178</u></p>	<p>B. Trademark Registration No.(s) <u>2,023,414</u></p>
<p>Additional number(s) attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	

<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: <u>Peter Buscemi, Esq.</u></p> <p>Internal Address: <u>Paul, Hastings, Janofsky & Walker LLP</u></p> <p>Street Address: <u>1055 Washington Boulevard</u></p> <p>City: <u>Stamford</u> State: <u>CT</u> Zip: <u>06901</u></p>	<p>6. Total number of applications and registrations involved: 4</p> <p>7. Total fee (37 CFR 3.41).....\$ <u>115.00</u></p> <p><input checked="" type="checkbox"/> Enclosed</p> <p><input type="checkbox"/> Authorized to be charged to deposit account</p> <p>8. Deposit account number: _____</p>
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DO NOT USE THIS SPACE

9. Signature.

Peter Buscemi _____ February 15, 2005 _____
Name of Person Signing Signature Date

Total number of pages including cover sheet, attachments, and document: 8

02/24/2005 BYRNE 00000063 78402194

01 FC:8521 40.00 OP

02 FC:8522 75.00 OP

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

TRADEMARK
REEL: 003126 FRAME: 0863

Additional Conveying Parties**State**

2. Bob's Discount Furniture Holdings I, LLC LLC - Delaware
3. Bob's Discount Furniture Holdings II, LLC LLC - Delaware

**NOTICE OF
MARKS ASSIGNMENT**

THIS ASSIGNMENT is dated as of January 31, 2005, and is made from Bob's Discount Furniture, Inc., a Connecticut corporation with its principal place of business at 428 Tolland Turnpike, Manchester, Connecticut 06040 ("BDF"), Bob's Discount Furniture Holdings I, LLC, a Delaware limited liability company ("Holdings I"), and Bob's Discount Furniture Holdings II, LLC, a Delaware limited liability company ("Holdings II," and together with BDF and Holdings I, "Assignors") on the one hand, to Bob's Discount Furniture, LLC, a Massachusetts limited liability company with its principal place of business at 428 Tolland Turnpike, Manchester, Connecticut 06040 ("Assignee") on the other hand.

WHEREAS, BDF has adopted and used and is using in commerce the Marks set forth in the attached Schedule 1;

WHEREAS, pursuant to the Asset Contribution and Liability Assumption Agreement by and among BDF on the one hand, and Holdings I and Holdings II, on the other hand, dated as of January 31, 2005, Holdings I and Holdings II have, among other things, agreed to purchase from BDF, and BDF has agreed to convey to Holdings I and Holdings II, among other things, said Marks and the goodwill associated with said Marks;

WHEREAS, Holdings I, Holdings II and Assignee have entered into an Asset Contribution and Liability Assumption Agreement also dated as of January 31, 2005 pursuant to which, among other things, Assignee wishes to acquire from Holdings I and Holdings II, and Holdings I and Holdings II wish, to transfer to Assignee, among other things, said Marks and the goodwill associated with said Marks; and

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignors hereby assign to Assignee all rights, title and interests in and to the Marks, the goodwill of the business symbolized by the Marks, all registrations and applications for registration thereof, if any, all rights of action accrued and to accrue under and by virtue thereof, including the right to sue and recover for past infringement of said Marks, and all records and files relating to said Marks. This Marks Assignment will be governed by the laws of the State of Connecticut without regard to its conflicts of laws principles.

Assignors shall sign all documents, provide all testimony and, in general, do all lawful things reasonably requested of them by Assignee to carry out and fulfill the purposes and intent of this Marks Assignment.

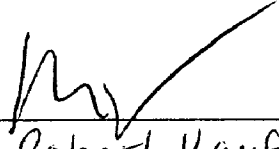
Assignors hereby covenant that they have full right to convey the entire interest herein assigned, and that they have not executed, and will not execute, any agreements inconsistent herewith.

[Rest of page intentionally left blank.]

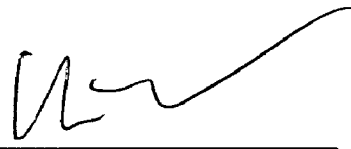
IN WITNESS WHEREOF, the parties have executed, made and entered into this Marks Assignment under seal as of the date first set forth above.

ASSIGNORS:

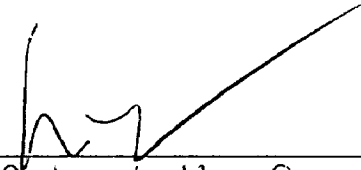
BOB'S DISCOUNT FURNITURE, INC.

By: 
Name: Robert Kaufman
Title: President

BOB'S DISCOUNT FURNITURE HOLDINGS I,
LLC

By: 
Name: Robert Kaufman
Title: President

BOB'S DISCOUNT FURNITURE HOLDINGS II,
LLC

By: 
Name: Robert Kaufman
Title: President

ASSIGNEE:

BOB'S DISCOUNT FURNITURE, LLC

By: 

Name: Robert Kaufman
Title: President

County of Suffolk

This instrument was executed before me on this 29th day of January, 2005, by Robert Kaufman, the President (title) of Bob's Discount Furniture, LLC, a Massachusetts limited liability company, on behalf of said limited liability company.

WITNESS my hand and official seal.

Annette E. Houde
Notary Public in and for
The Commonwealth of Massachusetts

Annette E. Houde
Printed or Typed Name of Notary

My Commission Expires 10/21/05

COMMONWEALTH OF MASSACHUSETTS

County of Suffolk

This instrument was executed before me on this 29th day of JAN 2005, by Robert Kaufman, the President (title) of Bob's Discount Furniture, Inc., a Connecticut corporation, on behalf of said corporation.

WITNESS my hand and official seal.

Annette E. Haude
Notary Public in and for
The Commonwealth of Massachusetts

Annette E. Haude
Printed or Typed Name of Notary

My Commission Expires 10/21/05

COMMONWEALTH OF MASSACHUSETTS

County of Suffolk

This instrument was executed before me on this 29th day of January 2005, by Robert Kaufman the President (title) of Bob's Discount Furniture Holdings I, LLC, a Delaware limited liability company, on behalf of said company.

WITNESS my hand and official seal.

Annette E. Houde
Notary Public in and for
The Commonwealth of Massachusetts

Annette E. Houde
Printed or Typed Name of Notary

My Commission Expires 10/21/05

COMMONWEALTH OF MASSACHUSETTS

County of Suffolk

This instrument was executed before me on this 29th day of January 2005, by Robert Kaufman, the President (title) of Bob's Discount Furniture Holdings II, LLC, a Delaware limited liability company, on behalf of said company.

WITNESS my hand and official seal.

Annette E. Houde
Notary Public in and for
The Commonwealth of Massachusetts

Annette E. Houde
Printed or Typed Name of Notary

My Commission Expires 10/21/05

SCHEDULE 1

to

MARKS ASSIGNMENT

Exemplars/Registration Numbers:

Bob's Discount Furniture	Registration No. 2023414
The Pit at Bob's	Application No. 78/402194
Bob's Pit	Application No. 78/402187
The Pit	Application No. 78/402178

LIBC/2098063.2

RECORDED: 02/15/2005

TRADEMARK
REEL: 003126 FRAME: 0870