

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being transmitted via facsimile to Assignment Recordation Services, Director of the U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450, to 703/306-5995, this 21st day of July, 2005.

*Alan J. Howarth*  
 Alan J. Howarth, Registration No. 36,553

Form PTO-1594 (Rev. 10/02) OMB No. 06651-0027 (exp. 6/30/2005) Tab settings ⇌ ⇌ ⇌	<b>RECORDATION FORM COVER SHEET</b> <b>TRADEMARKS ONLY</b>	U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office
To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.		
1. Name of conveying party(ies): Ski West, Inc.  <input type="checkbox"/> Individual(s) <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation-State <u>Utah</u> <input type="checkbox"/> Other _____  Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Name and address of receiving party(ies) Name: <u>Overstock.com, Inc.</u> internal Address: _____  Street Address: <u>6350 South 3000 East</u> City: <u>Salt Lake City</u> State: <u>UT</u> Zip: <u>84121</u>  <input type="checkbox"/> Individual(s) citizenship _____ <input type="checkbox"/> Association _____ <input type="checkbox"/> General Partnership _____ <input type="checkbox"/> Limited Partnership _____ <input checked="" type="checkbox"/> Corporation-State <u>Delaware</u> <input type="checkbox"/> Other _____ <small>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)                  Additional name(s) &amp; address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</small>	
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: <u>18 Jul 05</u>	4. Application number(s) or registration number(s): A. Trademark Application No.(s) <u>78/564,665</u> _____ B. Trademark Registration No.(s) _____ _____ Additional number(s) attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>Alan J. Howarth</u> Internal Address: <u>Clayton, Howarth &amp; Cannon, PC</u> _____ _____ Street Address: <u>P.O. Box 1909</u> _____ City: <u>Sandy</u> State: <u>UT</u> Zip: <u>84091</u>	6. Total number of applications and registrations involved: <span style="border: 1px solid black; padding: 2px;">1</span>  7. Total fee (37 CFR 3.41).....\$ <u>40.00</u> <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account  8. Deposit account number: <u>50-0836</u>	
<b>DO NOT USE THIS SPACE</b>		
9. Signature.  <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="width: 30%;"> <p><u>Alan J. Howarth</u> Name of Person Signing</p> </div> <div style="width: 40%; text-align: center;"> <p><i>Alan J. Howarth</i> Signature</p> </div> <div style="width: 20%; text-align: right;"> <p><u>July 21, 2005</u> Date</p> </div> </div> <p style="text-align: center; font-size: small;">Total number of pages including cover sheet, attachments, and document: <span style="border: 1px solid black; padding: 2px;">4</span></p>		

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

OP \$40.00 78564665

ATTORNEY DOCKET NO. T10767

A S S I G N M E N T

WHEREAS, Ski West, Inc. (hereinafter referred to as "ASSIGNOR"), being a corporation duly organized and existing under the laws of the State of Utah and having a principal place of business at 1700 Park Avenue, Park City, Utah 84060, has adopted, used, and is using, and is the owner of certain right, title, and interest in and to the trademark MOUNTAINRESERVATIONS LODGING. ANYTIME. ANYWHERE. AND DESIGN, (hereinafter referred to as the "Mark"), for which an application is pending in the United States Patent and Trademark Office being assigned serial no. 78/564,665 and filed on February 10, 2005 (hereinafter referred to as the "application"); and

WHEREAS, Overstock.com, Inc. (hereinafter referred to as "ASSIGNEE"), a corporation duly organized and existing under the laws of the State of Delaware, having a principal business office at 6350 South 3000 East, Salt Lake City, Utah 84121, is desirous of acquiring all right, title and interest in and to the Mark held by Ski West, Inc., and the above-identified application;

NOW, THEREFORE, in consideration of one dollar (\$1.00) and other good and valuable consideration paid to the ASSIGNOR by the ASSIGNEE, the receipt and sufficiency of which is hereby acknowledged, THE ASSIGNOR HEREBY ASSIGNS TO THE ASSIGNEE any and

WHEN RECORDED RETURN TO:

Alan J. Howarth  
Clayton, Howarth & Cannon, P.C.  
P.O. Box 1909  
Sandy, Utah 84091

**TRADEMARK**  
**REEL: 003161 FRAME: 0679**

all right, title and interest which it may hold in and to the Mark in connection with air travel, temporary lodging, ground transportation, rental vehicles, travel activities, tours, events and attractions, providing information about travel activities (international trademark class 39), the above-identified application, and any registration issuing therefrom, together with the goodwill of the business symbolized by and associated with the Mark.

The ASSIGNOR hereby authorizes and requests the United States Commissioner of Patents and Trademarks to issue any and all certificates of registration of the Mark to the ASSIGNEE as the owner of the entire interest of said Mark, for the sole use and behoof of the said ASSIGNEE, its successors, assigns and legal representatives.

WHEN RECORDED RETURN TO:

Alan J. Howarth  
Clayton, Howarth & Cannon, P.C.  
P.O. Box 1909  
Sandy, Utah 84091


- 2 -

**TRADEMARK**  
**REEL: 003161 FRAME: 0680**

This Assignment and Agreement shall be binding upon any and all successors of the ASSIGNOR.

Signed at Salt Lake City, Utah, this 18<sup>th</sup> day of July, 2005.  
(City) (State)

SKI WEST, INC.

  
By: Jonathan Cardella  
Title: CFO

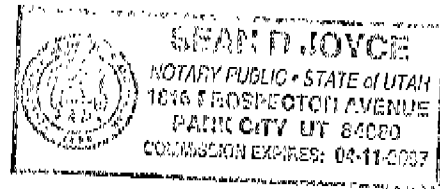
STATE OF Utah )  
COUNTY OF Salt Lake ) ss

On this 18<sup>th</sup> day of July, 2005, before me personally appeared Jonathan Cardella, known to me to be the person described and who signed the foregoing Assignment in my presence and acknowledged under oath before me that he has read the same and knows the contents thereof and that he executed the same as his free act and deed, on behalf of the identified corporation with authority to do so, for the purposes set forth therein.

  
NOTARY PUBLIC  
Residing at:

My Commission Expires:

\_\_\_\_\_  
S:\CNC Files\T10--\T107-\T10767\assignment.wpd



WHEN RECORDED RETURN TO:

Alan J. Howarth  
Clayton, Howarth & Cannon, P.C.  
P.O. Box 1909  
Sandy, Utah 84091

# Clayton, Howarth & Cannon

## CH&C

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## FACSIMILE MEMORANDUM

TO: Assignment Recordation Services  
Director of the U.S. Patent and Trademark Office

FACSIMILE NUMBER: (703) 306-5995

FROM: Alan J. Howarth, Ph.D.  
Clayton, Howarth & Cannon, P.C.

DATE: July 21, 2005

RE: MOUNTAINRESERVATIONS LODGING. ANYTIME. ANYWHERE,  
AND DESIGN  
U.S. Trademark Application No. 78/564,665  
Filing Date: February 10, 2005  
Attorney Docket No.: T10767

NUMBER OF PAGES: 6 (INCLUDING COVER PAGE)

If you do not receive the complete document, please call (801) 255-5335 as soon as possible. Our fax number is (801) 255-5338.

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Transmitted by: kdl