

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	NUNC PRO TUNC ASSIGNMENT
EFFECTIVE DATE:	08/24/1995

**CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Fred's Corporation		05/18/1998	CORPORATION:

**RECEIVING PARTY DATA**

Name:	Fred's Capital Management Company
Street Address:	2500 West Fourth Street
City:	Wilmington
State/Country:	DELAWARE
Postal Code:	19805
Entity Type:	CORPORATION:

**PROPERTY NUMBERS Total: 1**

Property Type	Number	Word Mark
Serial Number:	74436026	FRED'S

**CORRESPONDENCE DATA**

Fax Number: (202)393-5350  
*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*  
 Phone: 202 638-6666  
 Email: trademark@jhip.com, smoskowitz@jhip.com  
 Correspondent Name: Simor L. Moskowitz  
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ATTORNEY DOCKET NUMBER:	T34766US0
NAME OF SUBMITTER:	Simor L. Moskowitz
Signature:	/Simor L. Moskowitz/

OP \$40.00 74436026

Date:

03/15/2006

**Total Attachments: 3**

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## CONFIRMATORY TRADEMARK ASSIGNMENT

THIS ASSIGNMENT is made by and between FRED'S CORPORATION, a Delaware corporation whose principal place of business is 2500 West Fourth Street, Wilmington, Delaware 19805 (hereinafter referred to as "Assignor"), and FRED'S CAPITAL MANAGEMENT COMPANY, a Delaware corporation, whose principal place of business is 2500 West Fourth Street, Wilmington, Delaware 19805 (hereinafter referred to as "Assignee").

WHEREAS, Fred's Corporation is the record owner, by prior assignment of the service marks and the federal registrations therefor, as listed in Schedule A attached hereto and made a part hereof (hereinafter referred to as the "ASSIGNED MARKS"); and

WHEREAS, on or about August 24, 1995, the Assignor did assign to the Assignee the ASSIGNED MARKS including the federal registrations therefor, and the goodwill of the business pertaining thereto, but no formal assignment document in a form recordable in the Patent and Trademark Office was executed; and

WHEREAS, the parties hereby desire to reconfirm the prior assignment of the ASSIGNED MARKS, the federal registrations therefor, and the goodwill of Assignor associated therewith, in order to record the change of the ownership in the Assignment Division of the Patent and Trademark Office and place formal title in the name of Assignee.

NOW, THEREFORE, for good and valuable consideration, previously paid by Assignee to Assignor, the receipt of which is hereby acknowledged, Assignor does hereby sell, assign, set over and transfer to said Assignee, *nunc pro tunc*, as of August 24, 1995, all right, title and interest in and to the ASSIGNED MARKS and the above-identified registrations therefor, together with the whole of the goodwill of the business symbolized by the ASSIGNED MARKS, the same to be held and enjoyed by the Assignee for its own use and enjoyment, and for the use and enjoyment of its successors, assigns, or other legal representatives, as fully and entirely as the same would have been held and enjoyed by the Assignor if this assignment and sale had not been made; together with all claims for damages by reason of past infringement of the ASSIGNED MARKS and with the right to sue for and collect the same for its own use and benefit, and for the use and benefit of its successors, assigns or other legal representatives.

IN TESTIMONY THEREOF, said Assignor has caused its name to be signed and its seal to be affixed, by its duly authorized officer, this 18<sup>th</sup> day of MAY, 1998.

FRED'S CORPORATION

[S E A L]

By: [Signature]

Title: PRESIDENT

STATE OF \_\_\_\_\_ )  
  ) ss.  
COUNTY OF \_\_\_\_\_ )

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 1998.

\_\_\_\_\_  
Notary Public

[S E A L]

## SCHEDULE A

MARK	REG. NO.	ISSUE DATE
FRED'S YOUR KEY TO VALUE AND DESIGN	972,584	NOV. 6, 1973
FRED'S THE BIGGEST LITTLE DISCOUNT STORE IN AMERICA! AND DESIGN	1,524,903	FEB. 14, 1989
FRED'S DOLLAR STORES	736,162	AUG. 14, 1962

MARK	APP. NO.	FILING DATE
FRED'S	74/436,026	SEPT. 14, 1993