

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	CORRECTIVE ASSIGNMENT		
NATURE OF CONVEYANCE:	Corrective Assignment to correct the owner previously recorded on Reel 001825 Frame 0710. Assignor(s) hereby confirms the assignment.		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
B.F. Ascher & Company, Inc.		04/21/2008	CORPORATION: KANSAS
RECEIVING PARTY DATA			
Name:	B.F. Ascher & Company, Inc.		
Street Address:	15501 West 109th Street		
City:	Lenexa		
State/Country:	KANSAS		
Postal Code:	66219-1308		
Entity Type:	CORPORATION: KANSAS		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Registration Number:	1083105	PRETTY FEET AND HANDS	
CORRESPONDENCE DATA			
Fax Number:	(913)647-9057		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
Phone:	9136479050		
Email:	jrw@hoveywilliams.com		
Correspondent Name:	Scott R. Brown		
Address Line 1:	10801 Mastin Blvd., Suite 1000		
Address Line 4:	Overland Park, KANSAS 66210		
ATTORNEY DOCKET NUMBER:	SRB/1109.035		
NAME OF SUBMITTER:	Scott R. Brown		
Signature:	/SRB/		
Date:	05/05/2008		

CH \$40.00 1083105

Total Attachments: 12

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Registrant: B.F. Ascher & Company, Inc.

Registration No.: 1,083,105

Issue: Date: January 24, 1978

Mark: PRETTY FEET AND HANDS

Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

Declaration of Marc Elton Pursuant to 35 C.F.R § 2.20

I, Marc Elton, do hereby make the following Declaration:

1. This declaration is made in support of B.F. Ascher & Company, Inc.'s ("B.F. Ascher") correction to the assignment records of U.S. Registration No. 1,083,105 for the word mark PRETTY FEET AND HANDS (the "Registration").

2. I am the Director of Scientific and Legal Affairs at B.F. Ascher, and am authorized to make this declaration on behalf of B.F. Ascher.

3. As shown by the Trademark Assignment Abstract of Title for the Registration, attached hereto as Exhibit A, B.F. Ascher obtained the entire interest and goodwill of the Registration by assignment dated September 29, 1994, between Menley & James Laboratories, Inc. and B.F. Ascher, recorded at Reel 1247, Frame 0076.

4. Since B.F. Ascher acquired the full interest and goodwill of the Registration, B.F. Ascher has never assigned, licensed, pledged, conveyed, or otherwise taken any action to diminish or otherwise cloud B.F. Ascher's full title, interest and goodwill in the Registration. Accordingly, the correct current owner of the Registration is B.F. Ascher.

5. Notwithstanding B.F. Ascher's full interest in the Registration, numerous assignments of the Registration have erroneously been recorded which cloud B.F. Ascher's full title, interest, and ownership of the Registration.

6. To wit, the following assignments ("Erroneous Assignments"), as found on Exhibit A and summarized hereunder, have been recorded by another against B.F. Ascher's interest in the Registration:

Erroneous Assignments

No	Assignor	Assignee	Type	Recorded	Reel/Frame
12	Menley & James, Inc. and Menley & James Laboratories, Inc.	Numark Laboratories, Inc.	Assign	11/25/1998	1825/0710
13	Menley & James, Inc. and Menley & James Laboratories, Inc.	Numark Laboratories, Inc.	Assign	1/11/1999	1840/0075

7. The correct chain of title for the Registration does not include any of the Erroneous Assignments and the correct chain of title can be summarized by the following chart:

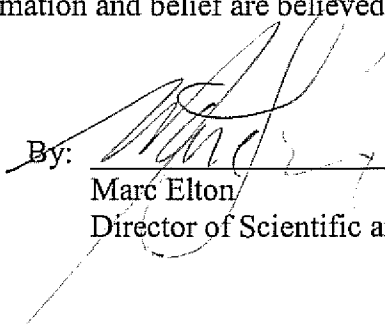
True and Correct Full Chain of Title

No	Assignor	Assignee	Type	Recorded	Reel/Frame
1	Norcliff Thayer, Inc.	Lewis Howe Company	Merger	3/14/1980	0365/0554
2	Lewis Howe Company	Norcliff Thayer, Inc.	Name Change	3/14/1980	0365/0558
3	Norcliff Thayer, Inc.	Beecham, Inc.	Name Change	6/29/1989	0658/0178
4	Beecham, Inc.	W.K.W. Inc.	Assign	7/12/1990	0726/0394
5	W.K.W. Inc.	Mellon Bank, N.A.	Security Interest	7/12/1990	0726/0400
6	W.K.W. Inc.	Mellon Bank, N.A.	Amend Security Agreement	11/6/1990	0749/0559
7	W.K.W. Inc	Menley & James Laboratories, Inc.	Name Change	12/5/1991	0831/0293
8	Menley & James Laboratories, Inc.	Meridian Bank	Security Interest	1/10/1994	1092/0213
9	Mellon Bank, N.A.	Menley & James Laboratories, Inc.	Release	12/9/1993	1078/0349
10	Menley & James	B.F. Ascher & Company,	Assign	10/17/1994	1247/0076

	Laboratories, Inc.	Inc.			
11	Meridian Bank	Menley & James Laboratories, Inc.	Release	10/17/1994	1228/0319

8. B.F. Ascher is the last correct and true assignee of the Registration.
9. B.F. Ascher has been and continues to be the owner of the Registration since the assignment dated September 29, 1994, recorded at Reel 1247, Frame 0076.
10. B.F. Ascher continues to use the mark covered by the Registration in commerce.
11. A declaration by an authorized representative of the incorrect assignee of record, Numark Laboratories, Inc., attached hereto as Exhibit B, further substantiates the foregoing claims that B.F. Ascher is the true and correct owner of the Registration.
12. B.F. Ascher hereby requests entry of the contemporaneously filed Recordation Cover Sheet to correct the assignment records pertaining to the Registration, and reflect B.F. Ascher as the true and correct owner of the Registration.
13. The undersigned being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true; and all statements made on information and belief are believed to be true.

Dated: 04/21/08

By: 

 Marc Elton
 Director of Scientific and Legal Affairs

Exhibit A



United States Patent and Trademark Office

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Assignments on the Web > Trademark Query

Trademark Assignment Abstract of Title

Total Assignments: 16

Serial #: 73132405 Filing Dt: 06/30/1977 Reg #: 1083105 Reg. Dt: 01/24/1978

Registrant: NORCLIFF THAYER INC.

Mark: PRETTY FEET AND HANDS

Assignment: 1

Reel/Frame: 0365/0554 Received: Recorded: 03/14/1980 Pages: 4

Conveyance: MERGER

Assignor: NORCLIFF THAYER INC. MERGED INTO

Exec Dt: 12/31/1979

Entity Type: CORPORATION

Citizenship: NEW YORK

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: LEWIS HOWE COMPANY

Correspondent: WIGMAN AND COHEN
CRYSTAL SQ. 3
SUITE 200, 1735 JEFF. DAVIS HWY.
ARLINGTON, VA 22202

Assignment: 2

Reel/Frame: 0365/0558 Received: Recorded: 03/14/1980 Pages: 3

Conveyance: CHANGE OF NAME

Assignor: LEWIS HOWE COMPANY - CHANGED TO -

Exec Dt: 12/31/1979

Entity Type: UNKNOWN

Citizenship: NONE

Entity Type: UNKNOWN

Citizenship: NONE

Assignee: NORCLIFF THAYER, INC.

Correspondent: WIGMAN AND COHEN
CRYSTAL SQUARE #3
SUITE 200, 1735 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202
ARLINGTON, VA 22202

Assignment: 3

Reel/Frame: 0658/0178 Received: Recorded: 06/29/1989 Pages: 0

Conveyance: CHANGE OF NAME

Assignor: NORCLIFF THAYER INC.

Exec Dt: 04/01/1989

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: CORPORATION

Citizenship: TENNESSEE

Assignee: BEECHAM INC.

Correspondent: BEECHAM INC.
THREE GARRET MOUNTAIN PLAZA
WEST PATERSON, NJ 07424-3387

Assignment: 4

Reel/Frame: 0726/0394 Received: Recorded: 07/12/1990 Pages: 0

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

Assignor: BEECHAM INC.

Exec Dt: 05/29/1990

Assignee: W.K.W. INC.
COMMONWEALTH CORPORATE CENTER, 100 TOURNAMENT DRIVE
HORSHAM, PENNSYLVANIA 19044

Entity Type: CORPORATION
Citizenship: TENNESSEE
Entity Type: CORPORATION
Citizenship: DELAWARE

Correspondent: KAREN G. LIPSEY
WILLKIE, FARR & GALLAGHER
THREE LAFAYETTE CENTER
1155 21ST STREET, NW
WASHINGTON, DC 20036-3302

Assignment: 5

Reel/Frame: 0726/0400 **Received:** **Recorded:** 07/12/1990 **Pages:** 0

Conveyance: SECURITY INTEREST

Assignor: W.K.W. INC.

Exec Dt: 05/29/1990
Entity Type: CORPORATION
Citizenship: DELAWARE
Entity Type: A NATIONAL BANKING ASSOCIATION
Citizenship: NONE

Assignee: MELLON BANK, N.A.
ONE MELLON BANK
PITTSBURGH, PENNSYLVANIA 15258

Correspondent: WILLKIE FARR & GALLAGHER
THREE LAFAYETTE CENTRE
1155 21ST STREET, NW
WASHINGTON, DC 20036-3302

Assignment: 6

Reel/Frame: 0749/0559 **Received:** **Recorded:** 11/06/1990 **Pages:** 0

Conveyance: TO AMEND OBLIGATIONS OF SAID PARTIES IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF A SECURITY AGREEMENT DATED MAY 29, 1990 (SEE RECORD FOR DETAILS).

Assignor: W.K.W. INC.

Exec Dt: 11/02/1990
Entity Type: CORPORATION
Citizenship: DELAWARE
Entity Type: A NATIONAL BANKING ASSOCIATION
Citizenship: NONE

Assignee: MELLON BANK, N.A.
ONE MELLON BANK CENTER
PITTSBURGH, PENNSYLVANIA 15258

Correspondent: WILLKIE FARR & GALLAGHER
KAREN G. LIPSEY
THREE LAFAYETTE CENTRE
1155 21ST STREET, NW
WASHINGTON, DC 20036-3302

Assignment: 7

Reel/Frame: 0831/0293 **Received:** **Recorded:** 12/05/1991 **Pages:** 8

Conveyance: CHANGE OF NAME

Assignor: W. K. W. INC.

Exec Dt: 11/08/1991
Entity Type: CORPORATION
Citizenship: DELAWARE
Entity Type: CORPORATION
Citizenship: DELAWARE

Assignee: MENLEY & JAMES LABORATORIES, INC.

Correspondent: WILLKIE FARR & GALLAGHER
THREE LAFAYETTE CENTRE
1155 21ST STREET, NW
WASHINGTON, DC 20036-3384

Assignment: 8

Reel/Frame: 1092/0213 **Received:** **Recorded:** 01/10/1994 **Pages:** 18

Conveyance: SECURITY INTEREST

USPTO Assignments on the Web

Assignor: MENLEY & JAMES LABORATORIES

Exec Dt: 12/02/1993

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: MERIDIAN BANK

SECURED LENDING 455 BUSINESS CENTER HORSHAM, PA 19044

Entity Type: CORPORATION

Citizenship: NONE

Correspondent: ELIZABETH A. PAYNE
CORPORATE DEPT.
C/O DIANE MORRIS & HECKSCHE
1650 MARKET STREET, ONE LIBERTY PLACE
PHILADELPIA, PA 19103

Assignment: 9

Reel/Frame: 1078/0349

Received:

Recorded: 12/09/1993

Pages: 15

Conveyance: RELEASE BY SECURED PARTY

Assignor: MELLON BANK, N.A.

Exec Dt: 12/03/1993

Entity Type: A NATIONAL BANKING
ASSOCIATION

Citizenship: NONE

Assignee: MENLEY & JAMES LABORATORIES, INC.

COMMONWEALTH CORPORATE CENTER
100 TOURNAMENT DRIVE
HORSHAM, PENNSYLVANIA 19044

Entity Type: CORPORATION

Citizenship: DELAWARE

Correspondent: WILLKIE FARR & GALLAGHER
TIMOTHY D. PECSENYE
ONE CITICORP CENTER
153 E. 53RD STREET
NEW YORK, NY 10022

Assignment: 10

Reel/Frame: 1247/0076

Received:

Recorded: 10/17/1994

Pages: 5

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

Assignor: MENLEY & JAMES LABORATORIES, INC.

Exec Dt: 09/29/1994

Entity Type: CORPORATION

Citizenship: DELAWARE

Assignee: B. F. ASCHER & COMPANY, INC.
15501 W. 109TH ST LENEXA, KS 66219

Entity Type: CORPORATION

Citizenship: KANSAS

Correspondent: MORRISON & HECKER
LINDA L. WEST
2600 GRAND AVENUE
KANSAS CITY, MO 64108

Assignment: 11

Reel/Frame: 1228/0319

Received:

Recorded: 10/17/1994

Pages: 3

Conveyance: RELEASE OF SECURITY INTERESTS

Assignor: MERIDIAN BANK

Exec Dt: 10/07/1994

Entity Type: PENNSYLVANIA BANK

Citizenship: PENNSYLVANIA

Assignee: MENLEY & JAMES LABORATORIES, INC.

COMMONWEALTH CORPORATE CENTER
100 TOURNAMENT DRIVE HORSHAM, PA 19044

Entity Type: CORPORATION

Citizenship: DELAWARE

Correspondent: LINDA L. WEST
MORRISON & HECKER
2600 GRAND AVENUE
KANSAS CITY, MO 64108

Assignment: 12

Reel/Frame: 1825/0710

Received: 12/15/1998

Recorded: 11/25/1998

Pages: 15

USPTO Assignments on the Web

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignors: MENLEY & JAMES, INC.

MENLEY & JAMES LABORATORIES, INC.

Assignee: NUMARK LABORATORIES, INC.

75 MAYFIELD AVENUE
EDISON, NEW JERSEY 08818

Correspondent: SWIDLER BERLIN SHEREFF FRIEDMAN
MARY PAT ATWOOD
3000 K STREET NW, SUITE 300
WASHINGTON, DC 20007

Exec Dt: 11/23/1998
Entity Type: CORPORATION
Citizenship: DELAWARE

Exec Dt: 11/23/1998
Entity Type: CORPORATION
Citizenship: DELAWARE

Entity Type: CORPORATION
Citizenship: NEW JERSEY

Assignment: 13

Reel/Frame: 1840/0075 **Received:** 01/15/1999 **Recorded:** 01/11/1999 **Pages:** 17

Conveyance: ASSIGNS THE ENTIRE INTEREST

Assignor: MENLEY & JAMES, INC. AND MENLEY & JAMES LABORTORIES, INC.

Exec Dt: 11/23/1998
Entity Type: CORPORATION
Citizenship: DELAWARE

Assignee: NUMARK LABORATORIES, INC.

75 MAYFIELD AVENUE
EDISON, NEW JERSEY 08837

Correspondent: MATHEWS, COLLINS, SHEPHERD ET AL.
TODD A. DENYS, ESQ.
100 THANET CIRCLE
SUITE 306
PRINCETON, NJ 08540-3674

Entity Type: CORPORATION
Citizenship: DELAWARE

Assignment: 14

Reel/Frame: 2176/0440 **Received:** 11/17/2000 **Recorded:** 08/22/2000 **Pages:** 23

Conveyance: RELEASE OF SECURITY AGREEMENT

Assignor: MERIDIAN BANK

Exec Dt: 01/04/1999
Entity Type: BANKING ORGANIZATION
Citizenship: PENNSYLVANIA

Assignee: MENLEY & JAMES LABORATORIES, INC.

100 TOURNAMENT DRIVE
HORSHAM, PENNSYLVANIA 19044

Correspondent: MATHEWS, COLLINS, SHEPHERD & GOULD
TODD A. DENYS
100 THANET CIRCLE
SUITE 306
PRINCETON, NJ 08540-3674

Entity Type: CORPORATION
Citizenship: DELAWARE

Assignment: 15

Reel/Frame: 1853/0388 **Received:** 02/11/1999 **Recorded:** 02/09/1999 **Pages:** 11

Conveyance: SECURITY INTEREST

Assignor: NUMARK LABORATORIES, INC.

Exec Dt: 01/28/1999
Entity Type: CORPORATION
Citizenship: NEW JERSEY

Assignee: SUMMIT BANK

250 WALNUT AVENUE
CRANFORD, NEW JERSEY 07016

Correspondent: PITNEY, HARDIN, KIPP & SZUCH
LINDA K. CONNOLLY

Entity Type: BANK
Citizenship: NONE

USPTO Assignments on the Web

P.O. BOX 1945
MORRISTOWN, NJ 07962

Assignment: 16

Reel/Frame: 2982/0739

Received: 12/01/2004

Recorded: 12/01/2004

Pages: 5

Conveyance: RELEASE OF SECURITY INTEREST

Assignor: FLEET CAPITAL CORPORATION

Exec Dt: 10/21/2004

Entity Type: CORPORATION

Citizenship: RHODE ISLAND

Entity Type: CORPORATION

Citizenship: NEW JERSEY

Assignee: NUMARK LABORATORIES, INC.

164 NORTHFIELD AVENUE
EDISON, NEW JERSEY 08837

Correspondent: CARRIE A. POLKA

200 CAMPUS DRIVE
FLORHAM PARK, NJ 07932

Search Results as of: 04/18/2008 11:51 AM
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Exhibit B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Registrant: B.F. Ascher & Company, Inc.

Registration No.: 1,083,105

Issue: Date: January 24, 1978

Mark: PRETTY FEET AND HANDS

Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

Declaration on Behalf of Numark Laboratories, Inc. Pursuant to 35 C.F.R § 2.20

I, Robert C. Stites, do hereby make the following Declaration:

1. This declaration is made in support of B.F. Ascher & Company, Inc.'s ("B.F. Ascher") correction to the assignment records of U.S. Registration No. 1,083,105 for the word mark PRETTY FEET AND HANDS (the "Registration").

2. I am the Chairman of the Board of Numark Laboratories, Inc. ("Numark") and am duly authorized to make the statements herein.

3. Numark is erroneously recorded as the assignee of the Registration as shown by the Trademark Assignment Abstract of Title for the Registration, Attached hereto as Exhibit A, notably at Reel 1825, Frame 0710, and Reel 1840, Frame 0075, both purporting an assignment from Menley & James, Inc. to Numark, dated November 23, 1998, and January 1, 1999, respectively.

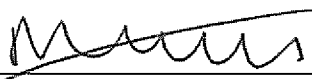
4. The Registration was erroneously listed on Schedule 1 of the November 23, 1998 Trademark Assignment from Menley & James, Inc. and Menley & James Laboratories, Inc. to Numark Laboratories, Inc.

5. To my knowledge, B.F. Ascher owns the full title, interest and goodwill of the Registration.

6. Numark disclaims any and all rights, titles, interests or goodwill to the Registration.

7. The undersigned being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true; and all statements made on information and belief are believed to be true.

Dated: 3/27/08

By: 
Robert C. Stites
Chairman of the Board
Numark Laboratories, Inc.