

## TRADEMARK ASSIGNMENT

Electronic Version v1.1  
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SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	MERGER		
EFFECTIVE DATE:	10/24/2007		
CONVEYING PARTY DATA			
	Name	Formerly	Execution Date
	Retail Mattress Ventures LP		10/24/2007
			PARTNERSHIP: TEXAS
RECEIVING PARTY DATA			
Name:	Mattress Firm, Inc.		
Street Address:	5815 Gulf Freeway		
City:	Houston		
State/Country:	TEXAS		
Postal Code:	77023		
Entity Type:	CORPORATION: DELAWARE		
PROPERTY NUMBERS Total: 6			
	Property Type	Number	Word Mark
	Registration Number:	3171206	MATRESSPRO
	Registration Number:	3171205	MATRESSPRO AMERICA'S LEADING MATTRESS DISCOUNTER!
	Registration Number:	3228772	POSTUREPRO
	Registration Number:	3248398	ORTHOPRO
	Registration Number:	3075096	MATRESSPRO
	Registration Number:	3075095	MATRESSPRO AMERICA'S LEADING MATTRESS DISCOUNTER!
CORRESPONDENCE DATA			
Fax Number:	(214)200-0853		
	<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i>		
Phone:	408 660 4120		
Email:	ipdocketing@haynesboone.com		

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Correspondent Name: Haynes and Boone, LLP  
Address Line 1: 2323 Victory Ave. -Ste. 700  
Address Line 4: Dallas, TEXAS 75219-7673

ATTORNEY DOCKET NUMBER: 42032.4

NAME OF SUBMITTER: Lisa A. Garono

Signature: /Lisa Garono/

Date: 04/02/2012

Total Attachments: 2  
source=Merger doc Retail Venture and Mattresspro into Mattress Firm#page1.tif  
source=Merger doc Retail Venture and Mattresspro into Mattress Firm#page2.tif

OCT 24 2007

**STATE OF TEXAS  
CERTIFICATE OF MERGER**

**Corporations Section**

In accordance with Section 2.11 of the Texas Revised Limited Partnership Act:

1. The name and jurisdiction of formation or organization of each of the constituent entities which is to merge:

<u>Name</u>	<u>State and Organizational Form</u>
Mattress Firm, Inc.	Delaware corporation
Retail Mattress Ventures, L.P.	Texas limited partnership
MattPro of Texas, LP	Texas limited partnership

2. An agreement and plan of merger has been approved, adopted, certified, executed and acknowledged by each of the constituent entities which is to merge.

3. The name of the surviving corporation is Mattress Firm, Inc.

4. The agreement and plan of merger was authorized by all action required by the laws under which each limited partnership and corporation was formed and by its constituent documents.

5. Each of the limited partnerships that are a party to the merger has complied with the provisions of its partnership agreement regarding furnishing partners copies or summaries of the plan of merger or notices regarding the merger.

6. The merger shall be effective upon the acceptance for filing of the Certificate of Merger with the Secretary of State of Texas.

7. An executed agreement and plan of merger is on file at the principal place of business of the surviving corporation at 5815 Gulf Freeway, Houston, Texas 77023, and a copy of the agreement and plan of merger will be furnished by such entity, on written request and without cost, to any stockholder of any constituent corporation or partner of any limited partnership that is a party to the agreement and plan of merger.

8. The Certificate of Incorporation of the surviving corporation shall be its Certificate of Incorporation.

RECEIVED

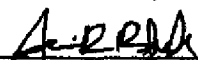
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Secretary of State


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IN WITNESS WHEREOF, the undersigned constituent entities have each caused this Certificate of Merger to be signed by its authorized officer this 21<sup>st</sup> day of October, 2007.


**MATTRESS FIRM, INC.**

  
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Jim R. Black  
Treasurer and Secretary

**RETAIL MATTRESS VENTURES, L.P.**

  
\_\_\_\_\_  
Jim R. Black  
Treasurer and Secretary

**MATTPRO OF TEXAS, LP**

  
\_\_\_\_\_  
Jim R. Black  
Treasurer and Secretary