

## TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1  
Stylesheet Version v1.2

ETAS ID: TM753901

|   |  |                       |   |
|---|--|-----------------------|---|
| <b>SUBMISSION TYPE:</b>   | NEW ASSIGNMENT                                     |                       |   |
| <b>NATURE OF CONVEYANCE:</b>  | ASSIGNMENT OF THE ENTIRE INTEREST AND THE GOODWILL |                       |   |
| <b>CONVEYING PARTY DATA</b>   |  |                       |   |
| <b>Name</b>   | <b>Formerly</b>                                    | <b>Execution Date</b> | <b>Entity Type</b>                      |
| Select Comfort Retail LLC   |  | 01/01/2022            | Limited Liability Company:<br>MINNESOTA |
| <b>RECEIVING PARTY DATA</b>   |  |                       |   |
| <b>Name:</b>  | Sleep Number Corporation                           |                       |   |
| <b>Street Address:</b>  | 1001 Third Avenue South                            |                       |   |
| <b>City:</b>  | Minneapolis  |                       |   |
| <b>State/Country:</b>   | MINNESOTA  |                       |   |
| <b>Postal Code:</b>   | 55404  |                       |   |
| <b>Entity Type:</b>   | Corporation: MINNESOTA                             |                       |   |
| <b>PROPERTY NUMBERS Total: 5</b>  |  |                       |   |
| <b>Property Type</b>  | <b>Number</b>                                      | <b>Word Mark</b>      |   |
| <b>Registration Number:</b>   | 4685838  | WE MAKE BEDS SMART    |   |
| <b>Registration Number:</b>   | 4095886  | B                     |   |
| <b>Registration Number:</b>   | 4707041  | BAM LABS              |   |
| <b>Registration Number:</b>   | 4508310  | SMART BED TECHNOLOGY  |   |
| <b>Registration Number:</b>   | 4120923  | BAM LABS              |   |
| <b>CORRESPONDENCE DATA</b>  |  |                       |   |
| <b>Fax Number:</b>  | 6126077100   |                       |   |
| <i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i> |  |                       |   |
| <b>Phone:</b>   | 6126077325   |                       |   |
| <b>Email:</b>   | bgrahn@foxrothschild.com                           |                       |   |
| <b>Correspondent Name:</b>  | Barbara Grahn                                      |                       |   |
| <b>Address Line 1:</b>  | 222 South Ninth St                                 |                       |   |
| <b>Address Line 2:</b>  | Suite 2000   |                       |   |
| <b>Address Line 4:</b>  | Minneapolis, MINNESOTA 55402                       |                       |   |
| <b>ATTORNEY DOCKET NUMBER:</b>  | 203229.00014                                       |                       |   |
| <b>NAME OF SUBMITTER:</b>   | Barbara Grahn                                      |                       |   |
| <b>SIGNATURE:</b>   | /bjg/  |                       |   |
| <b>DATE SIGNED:</b>   | 09/07/2022   |                       |   |

OP \$140.00 4685838

**Total Attachments: 2**

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**TRADEMARK ASSIGNMENT**

This **Trademark Assignment** (“**Assignment**”), effective as of January 1, 2022, at 12:01 a.m. Central Standard Time, is made and entered into by and between **SELECT COMFORT RETAIL LLC**, a Minnesota limited liability company, having a place of business at 1001 Third Avenue South, Minneapolis, MN 55404 (“**SCRLLC**”) and **SLEEP NUMBER CORPORATION**, a corporation organized under the laws of the State of Minnesota, having a place of business at 1001 Third Avenue South, Minneapolis, MN 55404 (“**SN**”).

WHEREAS, SCRLLC and SN are parties to that certain Intellectual Property Assignment and Transfer Agreement having the same effective date as the effective date hereof (the “**Assignment and Transfer Agreement**”); and

WHEREAS, in connection with the transactions contemplated by the Assignment and Transfer Agreement, SCRLLC agreed to sell, convey, transfer, assign and deliver to SN all of Assignor’s right, title and interest in and to certain trademarks (the “**Transferred Marks**”) and other intellectual property;

NOW, THEREFORE, in consideration of the mutual promises, covenants and agreements herein contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

SCRLCC hereby sells, assigns, transfers and conveys to SN, its successors, assigns and representatives, and SN hereby accepts, all of SCRLLS’s rights, title and interest in and to the Transferred Marks, including the marks and registrations identified on Exhibit A hereto, together with the goodwill of the business associated therewith throughout the world, and the rights, if any, to sue or bring other actions for past, present or future infringement thereof throughout the world. SCRLCC hereby authorizes the Commissioner of Patents and Trademarks of the United States, any official of any countries foreign to the United States whose duty it is to record trademark registrations, applications and title thereto, to record the Transferred Marks and title thereto as the property of SN, its successors, assigns and legal representatives. SCRLCC agrees not to take any action or to assist others in taking action to challenge, contest, oppose, seek to cancel, or otherwise object to SN’s use and/or registration of the Transferred Marks or SN’s ownership thereof.

SELECT COMFORT RETAIL LLC


By  \_\_\_\_\_

Printed Name: Dennis Hansen

Title: VP - Associate General Counsel

Dated: 1/1/22

**EXHIBIT A**

| <b>MARK</b>   | <b>REGISTER</b> | <b>REG. NO.</b> | <b>REG. DATE</b> | <b>STATUS</b> |
|---|-----------------|-----------------|------------------|---------------|
| WE MAKE BEDS SMART  | US              | 4685838         | 10-Feb-2015      | Live          |
|  | US              | 4095886         | 07-Feb-2012      | Live          |
| BAM LABS  | US              | 4707041         | 24-Mar-2015      | Cancelled     |
| SMART BED TECHNOLOGY  | US              | 4508310         | 01-Apr-2014      | Cancelled     |
| BAM LABS  | US              | 4120923         | 03-Apr-2012      | Cancelled     |