

09-28-1998



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RECORDATION FORM COVER SHEET

MRO 9.23.98

TRADEMARKS ONLY FINANCE

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- New
- Resubmission (Non-Recordation)  
Document ID #
- Correction of PTO Error  
Reel #  Frame #
- Corrective Document  
Reel #  Frame #

Conveyance Type

- Assignment  License
- Security Agreement  Nunc Pro Tunc Assignment  
Effective Date  
Month Day Year
- Merger
- Change of Name
- Other

Conveying Party

Mark if additional names of conveying parties attached

Execution Date  
Month Day Year  
09 98

Name

Formerly

- Individual  General Partnership  Limited Partnership  Corporation  Association
- Other
- Citizenship/State of Incorporation/Organization

Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

- Individual  General Partnership  Limited Partnership
- Corporation  Association
- Other

If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)

- Citizenship/State of Incorporation/Organization

09/28/1998 DC0ATES 00000018 2048947

FOR OFFICE USE ONLY

01 FC:481 40.00 DP  
02 FC:482 25.00 DP

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

TRADEMARK  
REEL: 1791 FRAME: 0733

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Correspondent Name and Address**

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Pages**

Enter the total number of pages of the attached conveyance document including any attachments. #

**Trademark Application Number(s) or Registration Number(s)**

Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

**Trademark Application Number(s)**

**Registration Number(s)**

**Number of Properties**

Enter the total number of properties involved. #

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$

Method of Payment:

Enclosed

Deposit Account

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

Authorization to charge additional fees:

Yes

No

**Statement and Signature**

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Colleen M. Grady  
Name of Person Signing

Colleen M. Grady  
Signature

9/9/98  
Date Signed

## ASSIGNMENT OF U.S. TRADEMARK

THIS ASSIGNMENT OF TRADEMARK (this "Assignment") is made and entered into as of September 8, 1998 by and between Back in the Saddle, Inc., a Colorado corporation (the "Assignor"), and Potpourri Collection, Inc., a Delaware corporation (the "Assignee").

### W I T N E S S E T H :

WHEREAS Assignor is the owner of (i) the mark "Back in the Saddle", as shown on Exhibit A hereto bearing Registration No. 2,048,947 together with the goodwill of the business associated with such mark; and (ii) the mark depicting an equestrian design, as shown on Exhibit B hereto, bearing Registration No. 2,060,988 together with the goodwill of the business associated with such service mark ((i) and (ii) collectively, the "Trademarks"); and

WHEREAS, Assignor desires to transfer all of its right, title and interest in and to the Trademarks to Assignee, together with the goodwill of the business symbolized by paid Trademarks, and Assignee desires to acquire all right, title and interest in and to the Trademarks together with the goodwill of the business symbolized by paid Trademarks;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor and Assignee agree as follows:

1. Assignor hereby assigns and transfers all of its right, title and interest in and to the Trademarks to Assignee, together with the goodwill of the business symbolized by said Trademarks, and all rights of the Assignor to sue and recover damages for past infringements.

2. Assignor hereby agrees to execute and deliver to Assignee such other documents, instruments or agreements as may be reasonably requested by Assignee to further effectuate the assignment and transfer of the Trademarks as herein provided.

3. This Assignment may be executed in counterparts, including facsimile counterparts, each of which will be deemed to be an original and all of which are one and the same assignment, but all of which shall together constitute one and the same instrument. Delivery of an executed counterpart of a signature page to this Assignment by facsimile transmission shall be effective delivery of a manually executed counterpart of this Assignment.

Signatures on Following Page

IN WITNESS WHEREOF, Assignor and Assignee have caused this Assignment to be duly executed as of the date first above written.

**WITNESSES:**

David H. Bode  
Jym Wolf

**ASSIGNOR:**

BACK IN THE SADDLE, INC.

By: [Signature]  
Name: GEOFFREY C. WOLF  
Title: PRESIDENT

**ASSIGNEE:**

POTPOURRI COLLECTION, INC.

By: \_\_\_\_\_  
Name:  
Title:

IN WITNESS WHEREOF, Assignor and Assignee have caused this Assignment to be duly executed as of the date first above written.

**WITNESSES:**

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**ASSIGNOR:**

BACK IN THE SADDLE, INC.

By: \_\_\_\_\_

Name:

Title:

**ASSIGNEE:**

POTPOURRI COLLECTION, INC.

By: John Black

Name: John Black

Title: Vice President

STATE OF CO )  
 ) SS.  
COUNTY OF LaPlata )

This instrument was acknowledged before me this 3<sup>rd</sup> day of September, 1998, by Geoffrey C. Wolf, as president of Back in the Saddle, Inc., on behalf of the corporation, and he/she is personally known to me or has produced a driver's license as identification.

Vicky Gurele  
Name: Vicky Gurele  
Notary Public  
State of CO  
My commission expires: 7-31-98

(Notary Seal)

STATE OF \_\_\_\_\_ )  
 ) SS.  
COUNTY OF \_\_\_\_\_ )

This instrument was acknowledged before me this \_\_\_ day of September, 1998, by \_\_\_\_\_, as \_\_\_\_\_ of Potpourri Collection, Inc., on behalf of the corporation, and he/she is personally known to me or has produced a driver's license as identification.

\_\_\_\_\_  
Name: \_\_\_\_\_  
Notary Public  
State of \_\_\_\_\_  
My commission expires:

(Notary Seal)

STATE OF \_\_\_\_\_ )  
 ) SS.  
COUNTY OF \_\_\_\_\_ )

This instrument was acknowledged before me this \_\_\_ day of September, 1998, by \_\_\_\_\_, as \_\_\_\_\_ of Back in the Saddle, Inc., on behalf of the corporation, and he/she is personally known to me or has produced a driver's license as identification.

\_\_\_\_\_  
Name: \_\_\_\_\_  
Notary Public  
State of \_\_\_\_\_  
My commission expires:

(Notary Seal)

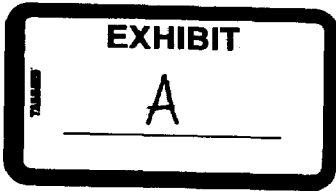
STATE OF Florida )  
 ) SS.  
COUNTY OF Miami-Dade )

This instrument was acknowledged before me this 3<sup>rd</sup> day of September, 1998, by John Black, as VP of Potpourri Collection, Inc., on behalf of the corporation, and he/she is personally known to me or has produced a driver's license as identification.

\_\_\_\_\_  
Name: Rosemary Torres  
Notary Public  
State of Florida  
My commission expires:

(Notary Seal)

OFFICIAL NOTARY SEAL  
ROSEMARY TORRES  
NOTARY PUBLIC STATE OF FLORIDA  
COMMISSION NO. CC729470  
MY COMMISSION EXP. MAR. 30, 2002



Int. Cl.: 42

Prior U.S. Cls.: 100 and 101

Reg. No. 2,048,947

United States Patent and Trademark Office

Registered Apr. 1, 1997

**SERVICE MARK  
PRINCIPAL REGISTER**

**BACK IN THE SADDLE**

BACK IN THE SADDLE, INC. (COLORADO CORPORATION)  
570 C TURNER DRIVE  
DURANGO, CO 81301

EQUESTRIAN THEME, IN CLASS 42 (U.S. CLS. 100 AND 101).  
FIRST USE 8-30-1993; IN COMMERCE 8-30-1993.

FOR: MAIL ORDER SERVICES IN THE FIELD OF GIFTS, APPAREL, BOOKS, TOYS, GEAR AND ACCESSORIES HAVING AN

SER. NO. 75-070,626, FILED 3-11-1996.  
LINDA M. DWYER, EXAMINING ATTORNEY



EXHIBIT

B

Int. Cl.: 42

Prior U.S. Cls.: 100 and 101

Reg. No. 2,060,988

**United States Patent and Trademark Office**

Registered May 13, 1997

**SERVICE MARK  
PRINCIPAL REGISTER**



BACK IN THE SADDLE, INC. (COLORADO  
CORPORATION)  
570 C TURNER DRIVE  
DURANGO, CO 81301

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100 AND 101).

FIRST USE 8-30-1993; IN COMMERCE  
8-30-1993.

FOR: MAIL ORDER SERVICES IN THE  
FIELD OF GIFTS, APPAREL, BOOKS, TOYS,  
GEAR AND ACCESSORIES HAVING AN

SER. NO. 75-083,435, FILED 4-4-1996.

ROBERT LORENZO, EXAMINING ATTORNEY