

03-08-1999

of Patents

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ed original documents or copy thereof.

U.S. Patent & TMO/TM Mail Rcpt Dt. #58

es).

2. Name and address of receiving party(ies)

E.S. ORIGINALS, INC.

Name: WAL-MART STORES INC.

Internal Address: \_\_\_\_\_

Street Address: 702 SW 8th Street

City: Bentonville State: AR Zip: 72712

- Individuals
- Association
- General Partnership
- Limited Partnership
- Other Corporation

- Individual(s) Citizenship \_\_\_\_\_
- Association \_\_\_\_\_
- General Partnership \_\_\_\_\_
- Limited Partnership \_\_\_\_\_
- Corporation-State Delaware
- Other \_\_\_\_\_

Additional name(s) of conveying party(ies) attached?  Yes  No

If assignee is not domiciled in the United States, a domestic representative designation is attached:  Yes  No  
(Designations must be a separate document from assignment)  
Additional name(s) & address(es) attached?  Yes  No

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other
- Merger
- Change of Name

Execution Dates: 3/2/99

4. Application number(s) or Registration number(s):

A. Trademark Application No.(s)

B.

Trademark Registration No.(s) 1,666,247

Additional numbers attached?  Yes  No

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Lisa A. Pieroni, Esq.

Address: KIRSCHSTEIN, et al.

489 Fifth Avenue

New York, New York 10017

6. Total number of applications and patents involved:

1

7. Total Fee (37 C.F.R. 3.41).....\$40.00

Enclosed

Authorized to be charged to deposit account

8. Deposit account number: 11-1145

DO NOT USE THIS SPACE

9. 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.*

Lisa Pieroni  
Name of Person Signing

[Signature]  
Signature

3/4/99  
Date

Total number of pages including cover sheet, attachments, and document: 2

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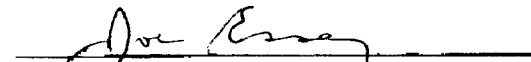
**TRADEMARK ASSIGNMENT**

WHEREAS, E.S. ORIGINALS, INC., a corporation organized and existing under the laws of the State of New York and having a principal place of business and mailing address at 450 West 33rd Street, New York, New York 10001 and formerly located at 20 West 33rd Street, New York, New York 10011 ("Assignor"), is the sole and exclusive owner of all right, title and interest in and to the trademark COMFORT FIRST ("Trademark") and to United States Trademark Registration No. 1,666,247 which issued on November 26, 1991, for the mark COMFORT FIRST ("Trademark Registration") which registration is in full force and effect; and

WHEREAS, WAL-MART STORES INC, a corporation organized and existing under the laws of the State of Delaware, having a principal place of business and mailing address at 702 SW 8<sup>th</sup> Street, Bentonville, Arkansas 72712 ("Assignee") is desirous of acquiring the title, rights, benefits and privileges to the above identified Trademark and Trademark Registration.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, Assignor hereby assigns, transfers and conveys to Assignee the entire right, title and interest in and to the above-identified Trademark and Trademark Registration, together with all goodwill of the business arising from the use of and symbolized by the Trademark and Trademark Registration.

E.S. ORIGINALS, INC.

  
Name: Joe Esses  
Title: Vice President

Dated: March 2, 1999

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