

RECORD  
TR/



Our Ref.: 2865-296

Commissioner of Patents and Trademarks  
Box Assignments, Washington, DC 20231

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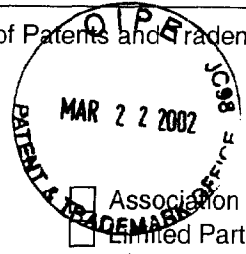
To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
MEDUSA INC..

Individual(s)  
 General partnership  
 Corporation-State: New York  
 Other: \_\_\_\_\_

Association  
 Limited Partnership

*3.22.02*



2. Name and address of receiving party(ies):  
Name: Gianni Versace S.p.A.  
Internal Address: \_\_\_\_\_  
Street Address: Via Manzoni, 38

City: Milan  
State/Country: ITALY  
Zip: \_\_\_\_\_

Individual(s) citizenship \_\_\_\_\_  
 Association \_\_\_\_\_  
 General Partnership \_\_\_\_\_  
 Limited Partnership \_\_\_\_\_  
 Corporation-State ITALY  
 Other \_\_\_\_\_

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  Merger  
 Security Assignment  Change of Name  
 Other: \_\_\_\_\_

Execution Date: June 6, 2001

4. Application number(s) or registration number(s): 2,270,644

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Trademark Application No.(s)  
 (1) \_\_\_\_\_  
 (2) \_\_\_\_\_  
 (3) \_\_\_\_\_

B. Trademark Registration No.(s)  
 (1) 2,270,644  
 (2) \_\_\_\_\_  
 (3) \_\_\_\_\_

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:  
Name: Frank P. Presta  
Internal Address: \_\_\_\_\_

Street Address: Nixon & Vanderhye P.C.  
1100 North Glebe Road  
8th Floor  
 City Arlington State: VA Zip: 22201

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41) \$ 40.00  
 Enclosed  
 Authorized to be charged to deposit account #14-1140

8. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper thereafter filed in this application by this firm) to our **Account No. 14-1140.**

DO NOT USE THIS SPACE

9. Statements 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.

Frank P. Presta  
Name of Person Signing

*Frank P. Presta*  
Signature

March 22, 2002  
Date

Total number of pages including cover sheet, attachments and document: 3

FPP:cr

2, 270, 644

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Law Office: 104  
Serial No.: 76/099,863  
Mark: MISCELLANEOUS DESIGN

In re Trademark Application of

GIANNI VERSACE, S.P.A.

Atty. Ref.: 2865-296

Filed: July 31, 2000

Attorney: R. R. Alves, Jr.

\* \* \* \* \*

Date: March 22, 2002

Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Sir:

**DESIGNATION OF DOMESTIC REPRESENTATIVE**

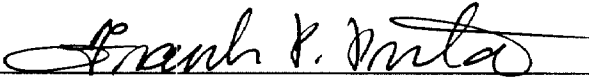
Nixon & Vanderhye P.C., whose postal address is 1100 North Glebe Road, 8<sup>th</sup> Floor, Arlington, Virginia 22201-4714, and Larry S. Nixon, Arthur R. Crawford, James T. Hosmer, Robert W. Faris, Robert W. Adams, Richard G. Besha, Mark E. Nusbaum, Michael J. Keenan, Bryan H. Davidson, Stanley C. Spooner, Robert A. Rowan, Leonard C. Mitchard, Duane M. Byers, Jeffry H. Nelson, Donna J. Bunton, John R. Lastova, H. Warren Burnam, Jr., Mary J. Wilson, J. Scott Davidson, Alan M. Kagen, Michael E. Crawford, Robert A. Molan, B. J. Sadoff, James D. Berquist, Updeep S. Gill, Jonathon T. Reavill, Michael J. Shea, Donald L. Jackson, Sherri L. Scharmach, Michelle N. Lester, Frank P. Presta, Joseph S. Presta, Joseph A. Rhoa, Raymond Y. Mah, Chris Comuntzis and Gary T. Tanigawa are designated as GIANNI VERSACE S.P.A.'s

613449

**TRADEMARK**  
**REEL: 002474 FRAME: 0138**

representatives on whom notices or processes in proceedings affecting the above-identified mark may be served.

**GIANNI VERSACE S.P.A.**

By: 

Frank P. Presta  
Attorney for Applicant

FPP:cr  
NIXON & VANDERHYE, P.C.  
1100 North Glebe Road, 8th Floor  
Arlington, VA 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100

## AGREEMENT

THIS AGREEMENT ("Agreement") dated this 6th day of June 2001 memorialized the agreement by and between Medusa Inc., a New York corporation ("Medusa") and Gianni Versace SpA, an Italian corporation ("Versace").

WHEREAS, Versace is the owner worldwide in and to the Medusa Design Mark shown in Exhibit 1 hereto (the "Mark"), and incorporated in Medusa's United States trademark Registration No. 2,270,644 for the mark MEDUSA RESTAURANT & Design (the "Registration").

WHEREAS, Medusa has used and registered the Mark without the knowledge or permission of Versace;

WHEREAS, Medusa has agreed to transfer, assign, and otherwise convey to Versace all of Medusa's right, title and interest in and to the Registration;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

### I. ASSIGNMENT

A. Medusa hereby transfers, assigns, and otherwise conveys to Versace all of Medusa's right, title and interest in, to and under the following:

1. The Registration;
2. All rights, if any, created by Medusa's use of the Mark, including any goodwill associated with the Mark resulting from such use; and
3. All rights to proceeds of the foregoing, including, without limitation, any claim by Medusa against third parties for past, present or future infringement of the Mark.

B. Versace acknowledges that nothing herein shall be construed to constitute a claim by Versace to Medusa's registered trademark number 2,158,412 for the mark MEDUSA NEW YORK nor shall this Agreement preclude Medusa from continued use of the MEDUSA NEW YORK mark.

### II. ACKNOWLEDGEMENT OF RIGHTS

A. Medusa hereby acknowledges the proprietary nature of the names, word marks, logos, designs, images, colors and color combinations, trade dress, symbols, likenesses and visual representations owned, controlled, first used, and/or applied for in and/or registered with the U.S. Patent and Trademark Office, regardless of the class of goods for which such application was made or such registration issued, by Versace and/or

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any of Versace's affiliated entities, including the Mark (the "Versace Trademarks") and that any use of any of the Versace Trademarks, or derivatives thereof or any other mark that is likely to cause confusion with any of the Versace Trademarks or likely to cause mistake and deception of the public and to mislead the public into believing that there is an affiliation or relationship between Medusa and Versace requires prior written permission of Versace.

B. Medusa acknowledges that its use of the Mark and its application for the Registration incorporating the Mark was without Versace's knowledge and that such use has conferred no rights or benefits in and to the Mark upon Medusa, and any rights created by such use shall inure to the benefit of Versace.

C. Medusa covenants that it will make no use of any Versace Trademark or any mark likely to be confused with any Versace Trademark without the prior written consent of Versace.

III. **CHOICE OF LAW.** The validity, construction and enforceability of this Agreement shall be governed by the internal laws of the State of New York, without giving effect to conflict of law principles thereof, and the State of New York shall be the sole jurisdiction for any disputes arising out of this Agreement.

IV. **RELEASE.** Versace hereby releases Medusa from any and all claims with respect to Medusa's registration and use of the Mark, whether arising before or from and after the date of this Agreement, provided, however, that Versace reserves the right to make claims against Medusa for any unauthorized use of the Versace Trademarks from and after the date of this Agreement.

**UNDERSTOOD AND AGREED**

MEDUSA INC.

By: [Signature]

Title: \_\_\_\_\_

Date: \_\_\_\_\_

GIANNI VERSACE SPA

By: [Signature]

Title: \_\_\_\_\_

Date: \_\_\_\_\_

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TRADEMARK

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