

06-27-2002

TRADEMARK
4047-4022US1

IN THE UNITED STATES
OF AMERICA
TRADEMARK



102136934

OFFICE

HON. COMMISSIONER OF PATENTS AND TRADEMARKS
BOX ASSIGNMENTS
Washington, D.C. 20231

Sir:

6-21-02

Please record the attached original documents or copies thereof.

1. Submission Type:

- New
- Resubmission (Non-Recordation) – Document ID# _____
- Correction of PTO Error: Reel # _____ Frame # _____
- Corrective Document: Reel # 002066 Frame # 0805 – To correct the names of the parties

FILED IN CLASSIFICATION

2. Name Of Conveying Party(ies):

Name: Herman's Sporting Goods, Inc.

Formerly _____

Execution Date (Month/Day/Year) December 1, 1997

- Individual(s)
- General Partnership
- Corporation
- Association
- Limited Partnership
- Other _____

Citizenship/State of Incorporation Delaware

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

3. Name and address of receiving party(ies):

Name: Reda Sports, Inc.

DBA/AKA/TA: _____

Address: 110 Main Street

City West Easton State PA ZIP 18043

- Individual(s)
- Association
- General Partnership
- Limited Partnership
- Corporation
- Other

Citizenship/State of Incorporation Pennsylvania

06/26/2002 6TOM11 00000176 134500 1140016

01 FC:481 40.00 CH

710731 v1

EF099157222US

TRADEMARK
REEL: 002538 FRAME: 0706

If assignee is not domiciled in the U.S., a domestic representative designation is attached: Yes No
(Designation must be a separate document from Assignment).

Additional name(s) & address(es) attached? Yes No

4. Conveyance Type:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Assignment | <input type="checkbox"/> Merger |
| <input type="checkbox"/> Security Agreement | <input type="checkbox"/> Change of Name |
| <input type="checkbox"/> License | <input type="checkbox"/> Nunc Pro Tunc Assignment |
| <input type="checkbox"/> Other | |

Effective Date: _____ (if nunc pro tunc assignment)

5. Application Number(s) and marks or Registration Number(s) and marks:

Trademark Application No.(s) _____

Trademark Registration No.(s) 1,140,016 (Mark: BUTCHART-NICHOLLS)

Additional numbers attached? Yes No

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

Name: Cindy M. Zelson, Esq. c/o Morgan & Finnegan L.L.P.

Internal Address: _____

Street Address: 345 Park Avenue

City New York State New York ZIP 10154

Area Code and Telephone Number (212) 415-8747

7. Total number of applications and registrations involved: 1

8. Total fee (37 CFR 3.41):.....\$ 40.00

- Enclosed
 Authorized to be charged to deposit account

9. Deposit Account Number: 13-4500. Authorization to charge additional fees to deposit account: Yes No

10. Statement and Signature

Charges to deposit account are authorized, as indicated herein

Cindy M. Zelson, Esq. Cindy H. Zelson 6/21/02
Name of Person Signing Signature Date

Total amount of pages in cover sheet: 3
FORM: REC-TM.NY
Rev. 10/04/94

COPY

ASSIGNMENT

This Assignment, having an effective date of the 1st day of December, 1997, by and between **HERMAN'S SPORTING GOODS, INC.**, a Delaware corporation, having a business address at 2 Germak Drive, Carteret, New Jersey 07008, (hereinafter "**ASSIGNOR**") *and* **REDA SPORTS, INC.**, a Pennsylvania corporation, having a principal place of business at 110 Main Street, P.O. Box 3609, West Easton, Pennsylvania 18043-3609 (hereinafter "**ASSIGNEE**")

WHEREAS, **ASSIGNOR** adopted and used the trade names and trademarks "**BUTCHART NICHOLLS**"; "**BUTCHART-NICHOLLS**"; "**CAMP-A-RAMA**"; "**EZ RIDER (Stylized)**"; "**MICRO-FLEX**"; "**OCEANIC**"; "**OMNI**"; "**ROYAL JAVELIN (Stylized)**"; and "**SEA CRUISER**" (hereinafter referred to as the "Marks") and applied for and received several U.S. Trademark Registrations for the Marks, a Schedule of Trademarks containing a listing of each of said Registrations for the Marks, including a detailed description thereof, is attached hereto and made part hereof as Appendix A; and

WHEREAS, **ASSIGNOR** is a Debtor in Bankruptcy under Chapter 11, Title 11 of the United States Code § 1101, et seq. in the United States Bankruptcy Court for the District of New Jersey captioned In re: Herman's Sporting Goods, Inc., Bankruptcy No.: 96-33538 [WHG], and an Order approving the sale of certain trademark properties of the **ASSIGNOR** to the **ASSIGNEE** has issued from the Bankruptcy Court entitled Approving Private Sale Agreement With Reda Sports, Inc. dated December 11, 1997, a copy of said Order is attached hereto and made part hereof as Exhibit A; and

WHEREAS, **ASSIGNEE** is desirous of acquiring and owning said trade names, trademarks and the U.S. Trademark Registrations received therefor, and the good will associated therewith.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, said **ASSIGNOR** does assign and transfer to the said **ASSIGNEE** all right, title, interest and claim in and to said Marks as set forth on the attached Schedule of Trademarks.

together with the good will of the business symbolized by the Marks and associated therewith, and the Registrations for said Marks, and any related legal and/or equitable claims appurtenant thereto, to be held and enjoyed by the above-named ASSIGNEE, for ASSIGNEE's own use and behoof, and for ASSIGNEE's legal representatives and assigns, to the full end of the term or terms for which said Registrations were granted, as fully and entirely as the same would have been held by the undersigned ASSIGNOR had this assignment and sale not been made; all without further or additional compensation to the ASSIGNOR..

HERMAN'S SPORTING GOODS, INC.

By: Thomas J. Herman Jr.
Name: THOMAS J. HERMAN JR.
Title: RESPONSIBLE PERSON

State of New Jersey)
County of Somerset) ss:

Before me, the Subscriber, a Notary Public, for the State of New Jersey, County of Somerset personally appeared Thomas J. Herman Jr. the person who signed this instrument on behalf of **Herman's Sporting Goods, Inc.**, who was authorized to sign this instrument on behalf of said Corporation, and who acknowledged that he/she signed this instrument as a free act and deed.

Witness my hand and notarial seal this 5 day of March, 1998.

Dorothy A. Pietrucha (Seal)
Notary Public

DOROTHY A. PIETRUCHA
Notary Public, New Jersey
My Commission Expires September 27, 1999

APPENDIX A

SCHEDULE OF TRADEMARKS

1. **U.S. Trademark Registration 1,113,199**
Mark: BUTCHART NICHOLLS
Class: 025
Goods: Sport clothes -- namely, golf clothing for men and women -- namely, pants, shorts, shirts, dresses, blouses, skirts, caps and socks, golf shoes and golf gloves
Applicant: W. R. Grace & Co.
Serial No.: 73/144,525
Filing Date: 10/13/1977
Registration No.: 1,113,199
Registered: 02/13/1979
Registrant: Herman's Sporting Goods, Inc.

2. **U.S. Trademark Registration 1,140,016**
Mark: BUTCHART-NICHOLLS
Class: 028
Goods: Golf equipment and accessories -- namely, golf clubs, golf balls, golf covers, golf spikes and golf tees
Applicant: W. R. Grace & Co.
Serial No.: 73/100,704
Filing Date: 09/22/1976
Registration No.: 1,140,016
Registered: 09/30/1980
Registrant: Herman's Sporting Goods, Inc.

3. **U.S. Trademark Registration 1,182,516**
Mark: CAMP-A-RAMA
Class: 042
Services: Retail Sporting Goods Store Services
Applicant: Herman's Sporting Goods, Inc.
Serial No.: 73/230,919
Filing Date: 09/11/1979
Registration No.: 1,182,516
Registered: 12/15/1981
Registrant: Herman's Sporting Goods, Inc.

4. **U.S. Trademark Registration 1,437,215**
Mark: EZ RIDER (Stylized)
Classes: 012
Goods: Manually pulled golf carts
Applicant: Herman's Sporting Goods, Inc.
Serial No.: 73/318,814
Filing Date: 07/13/1981
Registration No.: 1,437,215
Registered: 04/21/1987
Registrant: Herman's Sporting Goods, Inc.

5. **U.S. Trademark Registration 1,212,523**
Mark: MICRO-FLEX
Class: 028
Goods: Fishing line
Applicant: Herman's Sporting Goods, Inc.
Serial No.: 73/273,558
Filing Date: 08/11/1980
Registration No.: 1,212,523
Registered: 10/12/1982
Registrant:

6. **U.S. Trademark Registration 1,100,884**
Mark: OCEANIC
Class: 028
Goods: Fishing rods
Applicant: Herman's Sporting Goods, Inc.
Serial No.: 73/148,820
Filing Date: 11/16/1977
Registration No.: 1,100,884
Registered: 08/29/1978
Registrant: Herman's Sporting Goods, Inc.

7. **U.S. Trademark Registration 1,107,412**
Mark: OMNI
Class: 028
Goods: Sports equipment -- namely, golf clubs and golf balls ,
Applicant: Herman's Sporting Goods, Inc.
Serial No.: 73/133,071
Filing Date: 07/07/1977
Registration No.: 1,107,412
Registered: 11/28/1978
Registrant: Herman's Sporting Goods, Inc.

8. **U.S. Trademark Registration 1,148,444**
Mark: ROYAL JAVELIN (Stylized)
Class: 025
Goods: Swimwear
Applicant: Herman's Sporting Goods, Inc.
Serial No.: 73/131,744
Filing Date: 06/24/1977
Registration No.: 1,148,444
Registered: 03/17/1981
Registrant: Herman's Sporting Goods, Inc.

9. **U.S. Trademark Registration 1,175,070**
Mark: SEA CRUISER
Class: 012
Goods: Inflatable boats
Applicant: Herman's Sporting Goods, Inc.
Serial No.: 73/281,887
Filing Date: 10/15/1980
Registration No.: 1,175,070
Registered: 10/27/1991
Registrant: Herman's Sporting Goods, Inc.

and the Registrations for said Marks, and any related legal and/or equitable claims appurtenant thereto, to be held and enjoyed by the above-named ASSIGNEE, for ASSIGNEE's own use and behoof, and for ASSIGNEE's legal representatives and assigns, to the full end of the term or terms for which said Registrations were granted, as fully and entirely as the same would have been held by the undersigned ASSIGNOR had this assignment and sale not been made, all without further or additional compensation to the ASSIGNOR.

HERMAN'S SPORTING GOODS, INC.

By: Thomas J. Neenan, Jr.
Name: THOMAS J. NEENAN, JR.
Title: RESPONSIBLE PERSON

State of New Jersey)
County of Somerset) ss:

Before me, the Subscriber, a Notary Public, for the State of New Jersey, County of Somerset, personally appeared Thomas J. Neenan, Jr., the person who signed this instrument on behalf of **Herman's Sporting Goods, Inc.**, who was authorized to sign this instrument on behalf of said Corporation, and who acknowledged that he/she signed this instrument as a free act and deed.

Witness my hand and notarial seal this 5 day of March, 1998.

Dorothy A. Pietrucha (Seal)
Notary Public

DOROTHY A. PIETRUCHA
Notary Public, New Jersey
My Commission Expires September 27, 1999

BUTCHART-NICHOLLS

Status: REGISTERED

Gds/Svcs: Int'l. Cl.: 28 (U.S. Cl.: 22)
GOLF EQUIPMENT AND ACCESSORIES-NAMELY, GOLF CLUBS, GOLF BALLS, GOLF COVERS,
GOLF SPIKES AND GOLF TEES.
First Use: 1946 In Commerce: 1946

Reg. No.: 1,140,016 Registered: 09/30/1980
Serial No.: 73-100704 Filed: 09/22/1976 Published: 04/15/1980

Affidavits: 8 & 15 12/23/1985

Corresp.: MARY J. WALCH
W. R. GRACE & CO.
7379 ROUTE 32
COLUMBIA, MD 21044

Registrant: W. R. GRACE & CO. (CT CORP.)
NEW YORK, NY

Assignments:

Assignee: HERMAN'S WORLD OF SPORTS, INC. (NV CORP.)
1055 STEWARD AVENUE, BETH PAGE, NY 11741
Assignor: HERMAN'S, INC. (NV CORP.)
Recorded: 09/25/2001 Assigned: 09/12/2001 Reel/Fr.: 2376/0694
Action: NUNC PRO TUNC

Assignee: HERMAN'S INC. (NV CORP.)
223 WALL STREET, HUNTINGTON, NY 11743
Assignor: REDA SPORTS, INC. (CORP.)
Recorded: 07/26/2000 Assigned: 12/23/1999 Reel/Fr.: 2125/0552
Action: ASSIGNS THE ENTIRE INTEREST AND GOODWILL

Assignee: HERMAN'S INC (NV CORP.)
351 LARKFIELD ROAD, E. NORTHPORT, NY 11731
Assignor: W.R. GRACE & CO. (CT CORP.)
Recorded: 04/19/2000 Assigned: 12/23/1999 Reel/Fr.: 2066/0805
Action: ASSIGNS THE ENTIRE INTEREST AND GOODWILL

Assignee: BANKAMERICA BUSINESS CREDIT, INC., AS AGENT (DE CORP.)
40 EAST 52ND STREET, NEW YORK, NY 10022
Assignor: HERMAN'S SPORTING GOODS, INC. (DE CORP.)
Recorded: 10/06/1994 Assigned: 09/30/1994 Reel/Fr.: 1250/0485
Action: SECURITY INTEREST

Assignee: HERMAN'S SPORTING GOODS, INC. (DE CORP.)
CARTERET, NJ
Assignor: W.R. GRACE & CO. (CT CORP.)
Recorded: 04/03/1985 Assigned: 03/20/1985 Reel/Fr.: 0491/0727
Action: ASSIGNS THE ENTIRE INTEREST AND GOODWILL

TRADEMARK

RECORDED: 06/21/2002

REEL: 002538 FRAME: 0715