

Form PTO-1594 (Rev. 06/04)
OMB Collection 0651-0027 (exp. 6/30/2005)

U.S. DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

RECORDATION FORM COVER SHEET TRADEMARKS ONLY

To the Director of the U. S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies)/Execution Date(s):

Robert Kapnek

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

Citizenship (see guidelines) United States

Execution Date(s) 06/24/2004

Additional names of conveying parties attached? Yes No

3. Nature of conveyance:

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

2. Name and address of receiving party(ies)

Additional names, addresses, or citizenship attached? Yes No

Name: New Fizz Corporation

Internal

Address:

Street Address: P.O. Box 1627

City: New York

State: New York

Country: USA Zip: 10276

- Association Citizenship
- General Partnership Citizenship
- Limited Partnership Citizenship
- Corporation Citizenship New York
- Other Citizenship

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)

4. Application number(s) or registration number(s) and identification or description of the Trademark.

A. Trademark Application No.(s)

76/441,295

B. Trademark Registration No.(s)

Additional sheet(s) attached? Yes No

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):

AMERICAN BEAUTY

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

Name: Darlene Volk

Internal Address: The Estee Lauder Companies Inc., 46th Floor

Street Address: 767 Fifth Avenue

City: New York

State: NY Zip: 10153

Phone Number:

Fax Number: 212-572-6743

Email Address:

6. Total number of applications and registrations involved:

1

7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$40

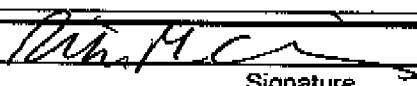
- Authorized to be charged by credit card
- Authorized to be charged to deposit account
- Enclosed

8. Payment Information:

a. Credit Card Last 4 Numbers _____
Expiration Date _____

b. Deposit Account Number 051315
Authorized User Name Darlene Volk

9. Signature:



Signature

12/29/04
Date

Rita M. Odin

Name of Person Signing

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

Documents to be recorded (including cover sheet) should be faxed to (703) 306-5995, or mailed to: Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

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ASSIGNMENT

WHEREAS, Mr. Robert Kapnek, an individual with a business address at 24 West 30th Street- 9th floor, New York, NY 10001 ("Assignor"), is the owner of the trademark AMERICAN BEAUTY (the "Mark") and U.S. Trademark Application Serial No. 76/441295 for the Mark for "hair dye, hair color, hair color removers, hair bleach and hair lighteners, all intended and marketed [f]or live human hair and not for wigs and hairpieces" (the "Application"); and

WHEREAS, New Fizz Corporation, a New York corporation with an address at P.O. Box 1627, New York, New York 10276 ("Assignee"), wishes to acquire all right, title and interest in and to the Mark including the goodwill symbolized by the Mark.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Assignor hereby sells, assigns and transfers to Assignee, its successors and assigns, absolutely and forever, its entire right, title and interest, whether statutory or at common law, throughout the world, in and to the Mark and the Application, together with the goodwill of the business symbolized by the Mark, all causes of action for previously occurring infringements of the rights being assigned and the right to receive and retain the proceeds relating to those infringements, and all of Assignor's other rights and interests in the Mark and the Application.

Dated: 6.24., 2004

ROBERT KAPNEK

