

12-13-1999



101221918

11.23.99

### RECORDATION FORM COVER SHEET TRADEMARKS ONLY

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

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/AKATA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

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

12/10/1999 TTON11 00000274 1952998

FOR OFFICE USE ONLY

01 FC:481 40.00 DP  
02 FC:482 900.00 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: 001998 FRAME: 0018

**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)**

<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

**Registration Number(s)**

<input type="text" value="1952998"/>	<input type="text" value="1920366"/>	<input type="text" value="1928526"/>
<input type="text" value="1051188"/>	<input type="text" value="1838202"/>	<input type="text" value="1747166"/>
<input type="text" value="1429335"/>	<input type="text" value="1456640"/>	<input type="text" value="1415983"/>

**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.

Beth Kotran

November 23, 1999

Name of Person Signing

Signature

Date Signed

**RECORDATION FORM COVER SHEET  
CONTINUATION  
TRADEMARKS ONLY**

FORM PTO-1618C  
Expires 06/30/99  
OMB 0651-0027

U.S. Department of Commerce  
Patent and Trademark Office  
**TRADEMARK**

**Conveying Party**

Enter Additional Conveying Party

Mark if additional names of conveying parties attached

Execution Date  
Month Day Year

Name

Formerly

Individual     General Partnership     Limited Partnership     Corporation     Association

Other

Citizenship State of Incorporation/Organization

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Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)     
City State/Country Zip Code

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Corporation     Association

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<input type="text"/>	<input type="text"/>	<input type="text"/>

**Registration Number(s)**

1406769	1356724	1340958
1340957	1356770	1330287
1296399	1278108	1289354
1241284	1265300	1241259
1202371	1198335	1233108
1205541	1203190	1173735
1208441	1135193	919147

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TRADEMARKS ONLY

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Registration Number(s)

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940157	901662	896190
899254	861820	934637
163640		

CONFIRMATORY TRADEMARK ASSIGNMENT

WHEREAS, BROADWAY STORES, INC., a corporation organized and existing under the laws of the State of Delaware, having a principal place of business at 1209 Orange Street, Wilmington, Delaware 19801 ("Assignor"), is the owner of all right, title and interest to the trademarks annexed hereto in Schedule A (the "Trademarks"), and all related goodwill; and

WHEREAS, FEDERATED DEPARTMENT STORES, INC., a corporation organized and existing under the laws of the State of Ohio, having a principal place of business at 7 West Seventh Street, Cincinnati, Ohio 45202 ("Assignee"), is desirous of acquiring the Trademarks and the goodwill associated therewith and all variations and combinations thereof, including all those not yet developed;

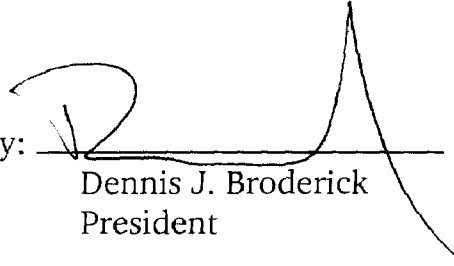
NOW, THEREFORE, effective on and as of October 11, 1995, for good and valuable consideration, the receipt of which is hereby acknowledged, Assignor hereby assigns, sells and transfers to Assignee, free and clear of all liens and encumbrances, all right, title and interest in and to the Trademarks, together with the goodwill of the business symbolized by the Trademarks, the U.S. Trademark Registrations and U.S. Trademark Applications listed in Schedule A, all income, royalties, damages and payments now or hereafter due or payable in respect to the Trademarks, and all causes of action (in law or in equity) and the right to sue, counterclaim and recover for past, present or future infringement of the Trademarks and the rights thereto.

IN WITNESS WHEREOF, Assignor has caused this Assignment to be signed

in its corporate name by its duly authorized officer this 15 day of November, 1999.

BROADWAY STORES, INC.

By:

A handwritten signature in black ink, appearing to be 'Dennis J. Broderick', is written over a horizontal line. The signature is stylized, with a large initial 'D' and a sharp peak at the end.

Dennis J. Broderick  
President

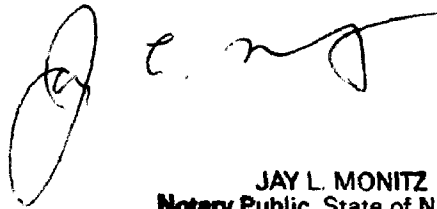
STATE OF *New York* )  
 )ss.:

COUNTY OF *New York* )

ACKNOWLEDGMENT

On this 15<sup>th</sup> day of November, 1999, before me came Dennis Broderick, who stated that he is the President of Broadway Stores, Inc. and acknowledged that he executed the above instrument as the act and deed of Broadway Stores, Inc. with full authority to do so.

Notary Public



**JAY L. MONITZ**  
**Notary Public, State of New York**  
**No. 4780413**  
**Qualified in Westchester County**  
**Commission Expires September 30, 2001**

## Schedule A

<u>TRADEMARK</u>	<u>REGISTRATION NO.</u>
CLASSIC DIMENSIONS	1,952,998
WEST COAST BABY (stylized)	1,920,366
FOCUSWEAR	1,928,526
CENTURA	1,051,188
TUESDAY CLUB	1,838,202
& COMPANY	1,747,166
CC COURTENAY (stylized)	1,429,335
JINGLE BEAR	1,456,640
NEIL MARTIN	1,415,983
CABANA CLUB	1,406,769
HOME FOCUS	1,356,724
PUZZLES	1,340,958
STREET LIGHTS	1,340,957
AXIOM	1,356,770
A.C.T.I.F. (stylized)	1,330,287
SUMMERFIELD	1,296,399
MODZ (stylized)	1,278,108
WEINSTOCK'S CLUB WEST	1,289,354
SOLARTEK	1,241,284
MARKET ON MARKET	1,265,300
MAGAZINE	1,241,259
BROADWAY SOUTHWEST	1,202,371
WEST COAST KIDS	1,198,335
WE'RE COOKIN'	1,233,108



## TRADEMARK

## REGISTRATION NO.

POINTS WEST (stylized)	1,205,541
EMPORIUM-CAPWELL	1,203,190
PLAZA SPORTSWEAR	1,173,735
THE CHEF'S TOOLS	1,208,441
NEIL MARTIN	1,135,193
E (stylized)	919,147
THE EMPORIUM	940,157
CENTURA	901,662
WEINSTOCK'S	896,190
CRADLE CROWD	899,254
THE BROADWAY	861,820
CAPWELL'S	934,637
MIMI (stylized)	163,640