

ESTTA Tracking number: **ESTTA494946**

Filing date: **09/17/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92054201
Party	Defendant Sleep Innovations, Inc.
Correspondence Address	ROBERT W SMITH MCCARTER ENGLISH LLP FOUR GATEWAY CENTER, 100 MULBERRY STREET NEWARK, NJ 07102 UNITED STATES rsmith@mccarter.com, ihurtado@mccarter.com, dpopovic@mccarter.com
Submission	Other Motions/Papers
Filer's Name	Robert W. Smith
Filer's e-mail	rsmith@mccarter.com, ihurtado@mccarter.com, dpopovic@mccarter.com
Signature	/robert w. smith/
Date	09/17/2012
Attachments	Exhibit B Part 2 to Declaration of Robert W. Smith.pdf (24 pages)(630563 bytes)

EXHIBIT B

PART 2

[CONTINUED ON THE FOLLOWING PAGE]

-6-

DC926116.2

DC926116.3

TRADEMARK
REEL: 003417 FRAME: 0244

SI 00185

THE PARTIES WAIVE ANY RIGHT TO TRIAL BY JURY IN ANY ACTION OR PROCEEDING BASED ON OR PERTAINING TO THIS AGREEMENT.

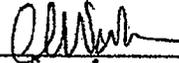
IN WITNESS WHEREOF, the parties have executed this Patent and Trademark Security Agreement as of the date written above.

Witness: <i>Patricia Palmer</i>	DEBTOR: SLEEP INNOVATIONS, INC. By: <i>Janet Martin</i> Title: <u>CEO</u> Date: <u>10/25/06</u>
	SECURED PARTY: WORLD SLEEP PRODUCTS, INC. By: _____ Title: _____ Date: _____

[CONTINUED ON THE FOLLOWING PAGE]

THE PARTIES WAIVE ANY RIGHT TO TRIAL BY JURY IN ANY ACTION OR PROCEEDING BASED ON OR PERTAINING TO THIS AGREEMENT.

IN WITNESS WHEREOF, the parties have executed this Patent and Trademark Security Agreement as of the date written above.

Witness: _____	DEBTOR: SLEEP INNOVATIONS, INC. By: _____ Title: _____ Date: _____
	SECURED PARTY: WORLD SLEEP PRODUCTS, INC. By:  Title: <u>President</u> Date: <u>10/23/06</u>

[CONTINUED ON THE FOLLOWING PAGE]

EXHIBIT A

TRADEMARKS:

1. BODIPEDIC

- Registration No. 3137309, registration date 08/29/06 (bed sheets and linens, mattress toppers, pillows, chairs and chair cushions)
- Serial No. 78620346, application date 04/29/05 (padding material for upholstered chairs)
- Registration No. 2841062, registration date 05/11/04 (mattresses and boxsprings):

BodIPEDIC

2. BODIEASE

- Registration No. 3115073, registration date 07/11/06 (mattresses and box springs)

3. BODIFLEX

- Registration No. 2925782, registration date 02/08/05 (mattresses and box springs)

PATENT:

Mattress Comfort Topper, Application Serial No.: 11/399,273, Filing Date: 04/06/06

DOMAIN NAME:

DC\926116.2

DC\926116.3

TRADEMARK
REEL: 003417 FRAME: 0247

www.bodipedic.com, currently registered with Network Solutions; administrative and technical contact information is as follows: World Sleep Products, 12 Esquire Rd., No. Billerica, MA 01862; 978-667-6648; misavel@msn.com

www.bodipedic.net, currently registered with Network Solutions; administrative and technical contact information is as follows: World Sleep Products, 12 Esquire Rd., No. Billerica, MA 01862; 978-667-6648; misavel@msn.com

www.bodipedicbedding.com, currently registered with Network Solutions; administrative and technical contact information is as follows: World Sleep Products, 12 Esquire Rd., No. Billerica, MA 01862; 978-667-6648; misavel@msn.com

www.bodipedicmattress.com, currently registered with Network Solutions; administrative and technical contact information is as follows: World Sleep Products, 12 Esquire Rd., No. Billerica, MA 01862; 978-667-6648; misavel@msn.com

DC926116.2

DC926116.3

RECORDED: 10/27/2006

**TRADEMARK
REEL: 003417 FRAME: 0248**

SI 00189

Generated on: This page was generated by TSDR on 2012-09-17 16:05:57 EST

Mark: BODIPEDIC

BODIPEDIC

US Serial Number:	78977213	Application Filing Date:	Apr. 29, 2005
US Registration Number:	3137309	Registration Date:	Aug. 29, 2006
Register:	Principal		
Mark Type:	Trademark		
Status:	Registered. The registration date is used to determine when post-registration maintenance documents are due.		
Status Date:	Aug. 29, 2006		
Publication Date:	Feb. 14, 2006	Notice of Allowance Date:	May 09, 2006

Mark Information

Mark Literal Elements:	BODIPEDIC
Standard Character Claim:	Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type:	4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: 2841062,78620346

Child Of: 78620346

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Mattress toppers, pillows, chairs and chair cushions

International Class: 020 - Primary Class **U.S Class:** 002, 013, 022, 025, 032, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 2003 **Use in Commerce:** Feb. 2003

For: Bed sheets and linens

International Class: 024 - Primary Class **U.S Class:** 042, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Feb. 2003 **Use in Commerce:** Feb. 2003

Basis Information (Case Level)

Filed Use:	No	Currently Use:	Yes	Amended Use:	No
Filed ITU:	Yes	Currently ITU:	No	Amended ITU:	No
Filed 44D:	No	Currently 44D:	No	Amended 44D:	No
Filed 44E:	No	Currently 44E:	No	Amended 44E:	No
Filed 66A:	No	Currently 66A:	No		
Filed No Basis:	No	Currently No Basis:	No		

Current Owner(s) Information

Owner Name: World Sleep Products, Inc.

12 Esquire Road

Owner Address: North Billerica, MASSACHUSETTS 01862
UNITED STATES

Legal Entity CORPORATION **State or Country** MASSACHUSETTS
Where

Type:

Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Robert W. Smith

Docket Number: 114689/4

Correspondent

Correspondent Name/Address: Robert W. Smith
McCarter & English, LLP
100 Mulberry Street
Four Gateway Center
Newark, NEW JERSEY 07102
UNITED STATES

Phone: 973-622-4444

Fax: 973-624-7070

Correspondent e-mail: rsmith@mccarter.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 29, 2012	TEAS SECTION 8 & 15 RECEIVED	
Mar. 02, 2011	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Mar. 18, 2009	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Aug. 20, 2008	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Aug. 13, 2008	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Apr. 18, 2007	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Nov. 01, 2006	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Aug. 29, 2006	REGISTERED-PRINCIPAL REGISTER	
Jul. 10, 2006	LAW OFFICE REGISTRATION REVIEW COMPLETED	77075

Jul. 07, 2006	ASSIGNED TO LIE	77075
Jul. 03, 2006	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Jun. 20, 2006	NOTICE OF PSEUDO MARK MAILED	
Jun. 19, 2006	STATEMENT OF USE PROCESSING COMPLETE	65362
Jun. 15, 2006	USE AMENDMENT FILED	65362
Jun. 19, 2006	DIVISIONAL PROCESSING COMPLETE	
May 31, 2006	DIVISIONAL REQUEST RECEIVED	
Jun. 15, 2006	TEAS STATEMENT OF USE RECEIVED	
May 31, 2006	PAPER RECEIVED	
May 09, 2006	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Feb. 14, 2006	PUBLISHED FOR OPPOSITION	
Jan. 25, 2006	NOTICE OF PUBLICATION	
Dec. 29, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	78413
Dec. 23, 2005	ASSIGNED TO LIE	78413
Dec. 19, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 14, 2005	TEAS/EMAIL CORRESPONDENCE ENTERED	77075
Dec. 08, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	77075
Dec. 08, 2005	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 05, 2005	NON-FINAL ACTION E-MAILED	6325
Dec. 05, 2005	NON-FINAL ACTION WRITTEN	76725
Nov. 29, 2005	ASSIGNED TO EXAMINER	76725
May 11, 2005	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION **Date in Location:** Jul. 17, 2006

Assignment Abstract of Title Information

Summary

**Total
Assignments:** 15

Registrant: World Sleep Products, Inc.

Assignment 1 of 15

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 3417/0205

Pages: 44

Date Recorded: Oct. 27, 2006

**Supporting
Documents:** assignment-tm-3417-0205.pdf

Assignor

Name: WORLD SLEEP
PRODUCTS, INC.

Execution Date: Oct. 25, 2006

Legal Entity Type: CORPORATION

**State or Country
Where
Organized:** MASSACHUSETTS

Assignee

Name: SLEEP INNOVATIONS, INC.

Legal Entity Type: CORPORATION

**State or Country
Where
Organized:** NEW JERSEY

Address: 187 ROUTE 36
SUITE 101
WEST LONG BRANCH, NEW JERSEY 07764

Correspondent

**Correspondent
Name:** MICHAEL KOLTONYUK

**Correspondent
Address:** 555 ELEVENTH STREET, NW
SUITE 1000
WASHINGTON, DC 20004

Domestic Representative - Not Found

Assignment 2 of 15

Conveyance: AMENDMENT NUMBER ONE TO TRADEMARK SECURITY AGREEMENT

Reel/Frame: 3417/0833

Pages: 7

Date Recorded: Oct. 30, 2006

**Supporting
Documents:** assignment-tm-3417-0833.pdf

Assignor

Name: SLEEP INNOVATIONS, INC. **Execution Date:** Oct. 25, 2006
Legal Entity Type: CORPORATION **State or Country Where Organized:** NEW JERSEY

Name: COMFORT CO., INC. **Execution Date:** Oct. 25, 2006
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Name: ADVANCED INNOVATIONS EAST, L.L.C. **Execution Date:** Oct. 25, 2006
Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** NEW JERSEY

Name: ADVANCED INNOVATIONS CENTRAL, L.L.C. **Execution Date:** Oct. 25, 2006
Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** INDIANA

Name: ADVANCED INNOVATIONS WEST, L.L.C. **Execution Date:** Oct. 25, 2006
Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** CALIFORNIA

Assignee

Name: ABLECO FINANCE LLC
Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** DELAWARE

Address: 299 PARK AVENUE
NEW YORK, NEW YORK 10171

Correspondent

Correspondent Name: PAUL HASTINGS JANOFSKY & WALKER LLP
Correspondent Address: 515 SOUTH FLOWER STREET, 25TH FLOOR
LOS ANGELES, CA 90071

Domestic Representative - Not Found

Assignment 3 of 15

Conveyance: AMENDMENT NUMBER ONE TO TRADEMARK SECURITY AGREEMENT

Reel/Frame: 3417/0843 **Pages:** 7

Date Recorded: Oct. 30, 2006

Supporting Documents: assignment-tm-3417-0843.pdf

Assignor

Name: SLEEP INNOVATIONS, INC. **Execution Date:** Oct. 25, 2006
Legal Entity Type: CORPORATION **State or Country Where Organized:** NEW JERSEY

Name: COMFORT CO., INC. **Execution Date:** Oct. 25, 2006
Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Name: ADVANCED INNOVATIONS EAST, L.L.C. **Execution Date:** Oct. 25, 2006
Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** NEW JERSEY

Name: ADVANCED INNOVATIONS CENTRAL, L.L.C. **Execution Date:** Oct. 25, 2006
Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** INDIANA

Name: ADVANCED INNOVATIONS WEST, L.L.C. **Execution Date:** Oct. 25, 2006

Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** CALIFORNIA

Assignee

Name: ABLECO FINANCE, LLC

Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** DELAWARE

Address: 299 PARK AVENUE
NEW YORK, NEW YORK 10171

Correspondent

Correspondent Name: PAUL HASTINGS JANOFSKY & WALKER LLP

Correspondent Address: 515 SOUTH FLOWER STREET, 25TH FLOOR
LOS ANGELES, CA 90071

Domestic Representative - Not Found

Assignment 4 of 15

Conveyance: RELEASE OF SECURITY INTEREST IN TRADEMARK COLLATERAL (RELEASES R/F: 3417/0843)

Reel/Frame: 3523/0871 **Pages:** 5

Date Recorded: Apr. 17, 2007

Supporting Documents: assignment-tm-3523-0871.pdf

Assignor

Name: ABLECO FINANCE LLC **Execution Date:** Apr. 09, 2007

Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** DELAWARE

Assignee

Name: SLEEP INNOVATIONS, INC.

Legal Entity Type: CORPORATION **State or Country Where Organized:** NEW JERSEY

Address: 187 MONMOUTH PARKWAY, ROUTE 36
WEST LONG BRANCH, NEW JERSEY 07764

Reel/Frame: 3523/0876

Pages: 5

Date Recorded: Apr. 17, 2007

Supporting Documents: assignment-tm-3523-0876.pdf

Assignor

Name: ABLECO FINANCE LLC Execution Date: Apr. 09, 2007
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: DELAWARE

Assignee

Name: SLEEP INNOVATIONS, INC.
Legal Entity Type: CORPORATION State or Country Where Organized: NEW JERSEY
Address: 187 MONMOUTH PARKWAY, ROUTE 36
WEST LONG BRANCH, NEW JERSEY 07764

Name: COMFORT CO., INC.
Legal Entity Type: CORPORATION State or Country Where Organized: DELAWARE
Address: 187 MONMOUTH PARKWAY, ROUTE 36
WEST LONG BRANCH, NEW JERSEY 07764

Name: ADVANCED INNOVATIONS EAST, L.L.C.
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: NEW JERSEY
Address: 187 MONMOUTH PARKWAY, ROUTE 36
WEST LONG BRANCH, NEW JERSEY 07764

Name: ADVANCED INNOVATIONS CENTRAL, L.L.C.
Legal Entity Type: LIMITED LIABILITY COMPANY State or Country Where Organized: INDIANA
Address: 187 MONMOUTH PARKWAY, ROUTE 36
WEST LONG BRANCH, NEW JERSEY 07764

Name: ADVANCED INNOVATIONS WEST, L.L.C.

Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** CALIFORNIA

Address: 187 MONMOUTH PARKWAY, ROUTE 36
WEST LONG BRANCH, NEW JERSEY 07764

Correspondent

Correspondent Name: LATHAM & WATKINS LLP

Correspondent Address: 650 TOWN CENTER DRIVE, SUITE 2000
COSTA MESA, CA 92626

Domestic Representative - Not Found

Assignment 6 of 15

Conveyance: GRANT OF PRIORITY FIRST LIEN SECURITY INTEREST IN TRADEMARK RIGHTS

Reel/Frame: 3831/0818 **Pages:** 15

Date Recorded: Aug. 08, 2008

Supporting Documents: assignment-tm-3831-0818.pdf

Assignor

Name: SLEEP INNOVATIONS, INC. **Execution Date:** Jul. 11, 2008

Legal Entity Type: CORPORATION **State or Country Where Organized:** NEW JERSEY

Assignee

Name: JPMORGAN CHASE BANK, N.A., AS PRIORITY COLLATERAL AGENT

Legal Entity Type: NATIONAL BANKING ASSOCIATION **State or Country Where Organized:** No Place Where Organized Found

Address: P.O. BOX 2558
HOUSTON, TEXAS 77252

Correspondent

Correspondent Name: MINDY M. LOK, ESQ.

Correspondent Address: SIMPSON THACHER & BARTLETT LLP
425 LEXINGTON AVENUE

NEW YORK, NY 10017

Domestic Representative - Not Found

Assignment 7 of 15

Conveyance: SUPPLEMENTAL GRANT OF FIRST LIEN SECURITY INTEREST IN TRADEMARK RIGHTS

Reel/Frame: 3832/0421 **Pages:** 10

Date Recorded: Aug. 11, 2008

Supporting Documents: assignment-tm-3832-0421.pdf

Assignor

Name: SLEEP INNOVATIONS, INC. **Execution Date:** Jul. 11, 2008

Legal Entity Type: CORPORATION **State or Country Where Organized:** NEW JERSEY

Assignee

Name: JPMORGAN CHASE BANK, N.A., AS FIRST LIEN COLLATERAL AGENT

Legal Entity Type: NATIONAL BANKING ASSOCIATION **State or Country Where Organized:** No Place Where Organized Found

Address: P.O. BOX 2558
HOUSTON, TEXAS 77252

Correspondent

Correspondent Name: MINDY M. LOK, ESQ.

Correspondent Address: SIMPSON THACHER & BARTLETT LLP
425 LEXINGTON AVENUE
NEW YORK, NY 10017

Domestic Representative - Not Found

Assignment 8 of 15

Conveyance: SUPPLEMENTAL GRANT OF SECOND LIEN SECURITY INTEREST IN TRADEMARK RIGHTS

Reel/Frame: 3835/0216 **Pages:** 11

Date Recorded: Aug. 14, 2008

Supporting Documents: assignment-tm-3835-0216.pdf

Assignor

Name: SLEEP INNOVATIONS, INC.

Execution Date: Jul. 11, 2008

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW JERSEY

Assignee

Name: WILMINGTON TRUST COMPANY, AS SECOND LIEN COLLATERAL AGENT

Legal Entity Type: BANKING CORPORATION

State or Country Where Organized: DELAWARE

Address: RODNEY SQUARE NORTH
1100 NORTH MARKET STREET
WILMINGTON, DELAWARE 19801

Correspondent

Correspondent Name: MINDY M. LOK, ESQ.

Correspondent Address: SIMPSON THACHER & BARTLETT LLP
425 LEXINGTON AVENUE
NEW YORK, NY 10017

Domestic Representative - Not Found

Assignment 9 of 15

Conveyance: TERMINATION AND RELEASE OF SECURITY INTEREST IN TRADEMARKS

Reel/Frame: 3949/0947

Pages: 11

Date Recorded: Mar. 11, 2009

Supporting Documents: assignment-tm-3949-0947.pdf

Assignor

Name: JPMORGAN CHASE BANK, N.A., AS FIRST LIEN COLLATERAL AGENT

Execution Date: Mar. 05, 2009

Legal Entity Type: NATIONAL BANKING ASSOCIATION

State or Country Where Organized: UNITED STATES

Assignee

**Correspondent
Address:** SIMPSON THACHER & BARTLETT LLP
425 LEXINGTON AVENUE
NEW YORK, NY 10017

Domestic Representative - Not Found

Assignment 11 of 15

Conveyance: TERMINATION AND RELEASE OF SECURITY INTEREST IN
TRADEMARKS
Reel/Frame: 3950/0030 **Pages:** 11
Date Recorded: Mar. 11, 2009
**Supporting
Documents:** assignment-tm-3950-0030.pdf

Assignor

Name: WILMINGTON TRUST
COMPANY, AS SECOND
LIEN COLLATERAL
AGENT **Execution Date:** Mar. 05, 2009
Legal Entity Type: BANKING **State or Country
Where
Organized:** DELAWARE
CORPORATION

Assignee

Name: SLEEP INNOVATIONS, INC.
Legal Entity Type: CORPORATION **State or Country
Where
Organized:** NEW JERSEY
Address: 187 MONMOUTH PARKWAY
WEST LONG BRANCH, NEW JERSEY 07764

Correspondent

**Correspondent
Name:** MINDY M. LOK, ESQ.
**Correspondent
Address:** SIMPSON THACHER & BARTLETT LLP
425 LEXINGTON AVENUE
NEW YORK, NY 10017

Domestic Representative - Not Found

Assignment 12 of 15

Conveyance: SECURITY INTEREST
Reel/Frame: 3950/0484 **Pages:** 13
Date Recorded: Mar. 11, 2009

Supporting Documents: [assignment-tm-3950-0484.pdf](#)

Assignor

Name: SLEEP INNOVATIONS, INC. **Execution Date:** Mar. 05, 2009

Legal Entity Type: CORPORATION **State or Country Where Organized:** NEW JERSEY

Assignee

Name: JPMORGAN CHASE BANK, N.A., AS ADMINISTRATIVE AGENT AND FIRST LIEN COLLATERAL AGENT

Legal Entity Type: NATIONAL BANKING ASSOCIATION **State or Country Where Organized:** UNITED STATES

Address: P.O. BOX 2558
HOUSTON, TEXAS 77252

Correspondent

Correspondent Name: MINDY M. LOK, ESQ.

Correspondent Address: SIMPSON THACHER & BARTLETT LLP
425 LEXINGTON AVENUE
NEW YORK, NY 10017

Domestic Representative - Not Found

Assignment 13 of 15

Conveyance: SECURITY INTEREST

Reel/Frame: [3950/0552](#) **Pages:** 13

Date Recorded: Mar. 11, 2009

Supporting Documents: [assignment-tm-3950-0552.pdf](#)

Assignor

Name: SLEEP INNOVATIONS, INC. **Execution Date:** Mar. 05, 2009

Legal Entity Type: CORPORATION **State or Country Where Organized:** NEW JERSEY

Assignee

Name: JPMORGAN CHASE BANK, N.A., AS ADMINISTRATIVE AGENT AND SECOND LIEN COLLATERAL AGENT

Legal Entity Type: NATIONAL BANKING ASSOCIATION
State or Country Where Organized: UNITED STATES

Address: P.O. BOX 2558
HOUSTON, TEXAS 77252

Correspondent

Correspondent Name: MINDY M. LOK, ESQ.

Correspondent Address: SIMPSON THACHER & BARTLETT LLP
425 LEXINGTON AVENUE
NEW YORK, NY 10017

Domestic Representative - Not Found

Assignment 14 of 15

Conveyance: SECURITY INTEREST

Reel/Frame: 4485/0041 **Pages:** 10

Date Recorded: Feb. 25, 2011

Supporting Documents: assignment-tm-4485-0041.pdf

Assignor

Name: SLEEP INNOVATIONS, INC. **Execution Date:** Dec. 10, 2010

Legal Entity Type: CORPORATION **State or Country Where Organized:** NEW JERSEY

Assignee

Name: WELLS FARGO CAPITAL FINANCE, LLC

Legal Entity Type: LIMITED LIABILITY COMPANY **State or Country Where Organized:** DELAWARE

Address: 12 EAST 49TH STREET
NEW YORK, NEW YORK 10017

Correspondent

Correspondent Name: SUSAN O'BRIEN

Correspondent Address: UCC DIRECT SERVICES
187 WOLF ROAD, SUITE 101
ALBANY, NY 12205

Domestic Representative - Not Found

Assignment 15 of 15

Conveyance: TERMINATION AND RELEASE OF SECURITY INTEREST IN TRADEMARKS

Reel/Frame: 4485/0240

Pages: 7

Date Recorded: Feb. 25, 2011

Supporting Documents: assignment-tm-4485-0240.pdf

Assignor

Name: JPMORGAN CHASE
BANK, N.A.

Execution Date: Dec. 10, 2010

Legal Entity Type: NATIONAL BANKING CORPORATION

State or Country Where Organized: No Place Where Organized Found

Assignee

Name: SLEEP INNOVATIONS, INC.

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW JERSEY

Address: 187 MONMOUTH PARKWAY
WEST LONG BRANCH, NEW JERSEY 07764

Correspondent

Correspondent Name: SUSAN O'BRIEN

Correspondent Address: UCC DIRECT SERVICES
187 WOLF ROAD, SUITE 101
ALBANY, NY 12205

Domestic Representative - Not Found