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*9-21-98*

RECORD

09-23-1998

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To the Honorable Commissioner of Patents and

100836136

original documents or copy thereof.

1. Name of conveying party(ies):

Roger D. Stern P.C. Pension Trust

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

2. Name and address of receiving party(ies)

Name: Roger D. Stern P.C. Trust

Internal Address: \_\_\_\_\_

Street Address: 30 East 71st Street

City: New York State: N.Y. ZIP: 10021

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

3. Nature of conveyance:

- Assignment  Merger
- Security Agreement  Change of Name
- Certificate of Sale and of Fact
- Other Bill of Sale

Execution Date: May 28, 1998

4. Application number(s) or patent number(s):

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

A. Patent Application No.(s)

B. Patent No.(s)

5,193,488      5,329,879  
5,353,743      5,289,800

Additional numbers attached?  Yes  No

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

Name: Howard M. Gitten

Internal Address: Stroock & Stroock & Lavan LLP

Street Address: 180 Maiden Lane

City: New York State: N.Y. ZIP: 10038

6. Total number of applications and patents involved: 4

7. Total fee (37 CFR 3.41).....\$ 160.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

19-4709

(Attach duplicate copy of this page if paying by deposit account)

9/21/1998 DCDATES 00000142 194709 5193488

DO NOT USE THIS SPACE

9. 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.

Howard M. Gitten

Name of Person Signing

Signature

9/18/98

Date

Total number of pages including cover sheet, attachments, and document: 4

# CERTIFICATE OF SALE AND OF FACT

Know all men by these presents: That by virtue of a default in the payment of certain monies due, and pursuant to the terms of a certain <sup>Loan</sup> ~~Security~~ Agreement dated 4/23/97 and the security agreements referred to therein placed in my hands for execution and foreclosure made by:

196035 New York Corporation d/b/a The Sweet P Company (Borrower)  
to Roger D. Stern P.C. Pension Trust (Secured Party)  
and assigned to \_\_\_\_\_.

The attorney(s) for the Secured Party did on the 28<sup>th</sup> day of May, 1998 in the manner provided by statute, sell at Public Auction by WILLIAM MANNION, Auctioneer, all the borrower(s) right, title and interest, in and to the collateral consisting of \_\_\_\_\_

~~of the building known as and~~  
~~the following U.S. Patent Numbers: US Patent No. 5,193,488 ;~~  
U.S. Patent No. 5,353,743 ; U.S. Patent No. 5,329,879 ; US Patent No. 5,289,800 .

And sold unto Roger D. Stern P.C. Pension Trust

for the sum of \$ 10. \_\_\_\_\_, they being the highest bidder in accordance with the Terms of Sale which were available to all bidders.

That public notice of sale was given prior to its taking place and was duly advertised. This Auction Sale was held at:

Kross + Lund, 419 Park Ave. So., New York, N.Y.

- Sold to the Secured Party, no money exchanged hands except for the auctioneer's fees and expenses of the sale.
- The sum of \$ \_\_\_\_\_ of the bid price was paid to the Attorney's for the Secured Party as a down payment.

IN WITNESS WHEREOF, I have hereunto set my hand on the 28<sup>th</sup> day of May, 1998.

William Mannion  
William Mannion

# BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS THAT **ROGER D. STERN P.C. PENSION TRUST**, as secured party, party of the first part, for and in consideration of the sum of Ten Dollars (\$10) lawful money of the United States, to the party of the first part in hand paid, at or before the ensealing and delivery of these presents, by **ROGER D. STERN P.C. PENSION TRUST**, as purchaser, party of the second part, the receipt whereof is hereby acknowledged, has bargained and sold, and by these presents does grant and convey unto the said party of the second part, the trustees, administrators, successors and assigns thereof: All the party of the first part's present and future right, title and interest in and to United States Patent Numbers 5,193,488 ("Cat Waste Elimination System"); 5,353,743 ("Urine Collection Device for Pet Animals"); 5,329,879 ("Cat Waste Elimination System Including Anti-Litter Spreading and Containment Device and also Including Device Allowing Walking Kittens to Safely Enter a Kitty Litter Box"); and 5,289,800 ("Waste Odor Eliminator Cover for a Cat Waste Box"), including, without limitation, all proceeds thereof (*e.g.*, royalties and proceeds of infringement suits), the right to sue for past, present and future infringements or misappropriations, all rights corresponding thereto throughout the world, including, without limitation, Canada, and all reissues, divisions, continuations, re-examinations and renewals thereof (collectively the "Patents").

TO HAVE AND TO HOLD the same unto the said party of the second part, the trustees, administrators, successors and assigns thereof forever. And the party of the first part does covenant and agree to and with the said party of the second part, to WARRANT AND DEFEND the sale of the said Patents hereby sold unto the said party of the second part, the trustees, administrators, successors and assigns thereof, against all and every person and persons whomsoever.

Whenever the text hereof requires, the singular number used herein shall include the plural and vice versa.

IN WITNESS WHEREOF, the party of the first part has duly executed this bill of sale as of May 28, 1998.

ROGER D. STERN P.C. PENSION TRUST

By: *Roger D. Stern* (L.S.)  
*ROGER D. STERN, TRUSTEE*

IN PRESENCE OF

*Sandra Stern* (L.S.)

F:\WORD\5:STERN.ROG\C\BILL-SAL

PATENT  
REEL: 9463 FRAME: 0442

STATE OF NEW YORK                    )  
  : ss.:  
COUNTY OF NEW YORK                )

On September 2, 1998 before me, the subscriber, personally appeared  
**ROGER D. STERN, Trustee of the Roger D. Stern P.C. Pension Trust**, known to me  
to be the same person described in and who executed the within Bill of Sale, and he  
acknowledged to me that he executed the same on behalf of such Trust.



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**ERIC LESSER**  
Notary Public, State of New York  
No. 31-4978882  
Qualified in New York County  
Commission Expires March 18, 1999