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To the Director of the United States

Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): 5-11-04
Anthony Brennan
W. John Gardenier

Additional names(s) of conveying party(ies) Yes No

2. Name and address of receiving party(ies):
Name: SARATOGA SPA & BATH, INC.
Address: 33 WADE ROAD

City: LATHAM State/Prov.: N.Y.
Country: UNITED STATES ZIP: 12110

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

3. Nature of conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other ASSIGNMENT CONFIRMATION

Execution Date: AB: 4/2/04 WJG: 4/2/04

4. Application number(s) or patent numbers(s):
If this document is being filed together with a new application, the execution date of the application is: _____

| Patent Application No. | Filing date | B. Patent No.(s) |
|------------------------|-------------------------|------------------|
| <u>10/268,371</u> | <u>October 10, 2002</u> | |

Additional numbers Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:
Name: VICTOR A. CARDONA
Registration No. 44,589
Address: Heslin Rothenberg Farley & Mesiti P.C.
5 Columbia Circle

City: Albany State/Prov.: NY
Country: United States ZIP: 12203

6. Total number of applications and patents involved: 1

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

VICTOR A. CARDONA
Name of Person Signing

[Signature]
Signature

MAY 6 2004
Date

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ASSIGNMENT CONFIRMATION

WHEREAS, WE,

Anthony Brennan, a citizen of the United States, residing at 7 Mann Boulevard, Clifton Park, New York 12065, United States; and

W. John Gardenier, a citizen of the United States, residing at 1 Ashwood Court, Albany, New York 12208, United States,

respectively, have invented certain new and useful improvements in **HEAD REST ASSEMBLY HAVING AN ILLUMINATED INSERT FOR A SPA** for which we have filed an application for Letters Patent on **October 10, 2002**, for U.S. Patent Application No. 10/268.371, which is a Continuation-In-Part of U.S. Patent Application Number 09/834,260, filed April 12, 2001, now U.S. Patent No. 6,467,103; and

WHEREAS, SARATOGA SPA & BATH, INC., having offices at 33 Wade Road, Latham, New York 12110, has obtained the entire right, title and interest in, to and under the said improvements and the said application in an Assignment dated, **December 11, 2002** and that said assignment incorrectly listed **Saratoga Spa & Bath Co., Inc.**, as the assignee therein.

NOW, THEREFORE, in consideration of good and valuable consideration, the receipt of which is hereby acknowledged, We the said **Anthony Brennan** and **W. John Gardenier**, have sold, assigned, transferred and set over, and hereby confirm we have sold, assigned, transferred, and set over, in an Assignment dated **December 11, 2002**, and filed with the U.S. Patent and Trademark Office on **December 17, 2002**, unto the said **SARATOGA SPA & BATH, INC.**, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent which may be granted thereon and all reissues and extensions thereof, and all applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and We authorized and requested in the said Assignment that the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said **SARATOGA SPA & BATH, INC.**, its successors, legal representatives and assigns, in accordance with the terms of this instrument. This Assignment Confirmation is being executed to confirm our assignment and our intention to assign to **SARATOGA SPA & BATH, INC.** all right, title, and interest in the said improvements, instead of the incorrectly designated **Saratoga Spa & Bath Co., Inc.** as outlined in the said Assignment dated **December 11, 2002**, and filed with the U.S. Patent and Trademark Office on **December 17, 2002**.

WHEREAS, in consideration of the good and valuable consideration, the receipt of which is hereby acknowledged, we hereby sell, assign, transfer and set over, unto to said **SARATOGA SPA & BATH, INC.** its successors, legal representatives, and assigns, any right, title, or interest which may remain with us, to and under the said improvements, and the said application and any divisions, renewals, or continuations thereof, and any Letters Patent which may be granted thereon, and any reissues or extensions thereof, and any applications for Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and any Patent which may be granted for said improvements in any country or countries foreign to the United States and any extensions, renewals, or reissues thereof; We hereby authorize and request the Commissioner of Patents of the United States and the Official of any country or countries foreign to the United States, whose duty it is to issue patents on

