

MRP 7-23-98

08-07-1998

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U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

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To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

CRADDOCK-TERRY, INC. DBA/CRADDOCK-TERRY  
SHOE CO., INC.

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

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

3. Nature of conveyance:

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

Execution Date: July 6, 1998

2. Name and address of receiving party(ies):

Name: THE AVENUE, INC.

Internal Address:

Street Address: 2625 Concord Pike, Suite 2000

City: Wilmington State: DE ZIP: 19803

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

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)

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

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

A. Trademark Application No.(s)

U.S. Patent & TMO/c/TM Mail Rpt Dt. #70



07-23-1998

B. Trademark registration No.(s)

RN 702306

Additional numbers attached?  Yes  No

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

Name: Mitchell E. Radin, Esq.

Internal Address:

Cowan, DeBaets, Abrahams & Sheppard, LLP

Street Address:

40 West 57th Street, Suite 2104

City: New York

State: NY

ZIP: 10019

6. Total number of applications and registrations involved: 1

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

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

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

DO NOT USE THIS SPACE

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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.

Mitchell E. Radin

Name of Person Signing

Mitchell E. Radin 7/23/98

Signature TRADEMARK 764 FRAME: 0192

Date

**ASSIGNMENT**

THIS ASSIGNMENT, effective this 6<sup>th</sup> day of July, 1998, made by Craddock-Terry, Inc. ("Assignor") and The Avenue, Inc., a Delaware corporation, ("Assignee").

WHEREAS, Assignor is the owner of and has ownership rights in the trademark CLOUD 9 for footwear (the "Mark") and in the registration in the United States Patent and Trademark Office for the trademark CLOUD 9, Registration Number 702306, dated 8/2/60, (the "Registration");

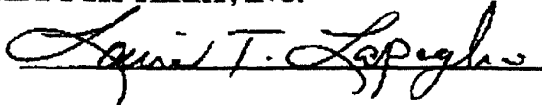
WHEREAS, Assignee is desirous of acquiring the Mark and the Registration; and

WHEREAS, pursuant to an Order, entered by the United States Bankruptcy Court for the Western District of Virginia on July 2, 1998 in Assignor's Chapter 11 Case No. 97-02624-WA1-11, Assignor is authorized to execute this Assignment.

Now, therefore, in consideration of good and valuable consideration, the receipt of which is hereby acknowledged, Assignor hereby assigns to Assignee all of Assignor's right, title and interest in and to the Registration and the Mark, together with the goodwill of the business symbolized by the Mark and the Registration, and all rights and entitlements of any nature that Assignor has pertaining to the Mark and the Registration.

**CRADDOCK-TERRY, INC.**

By:



Name: Louis T. Lapaglia

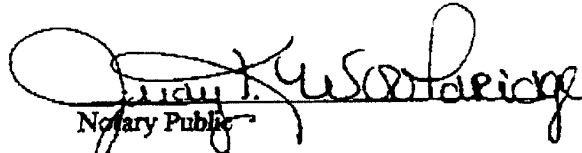
Title: President and Chief Executive Officer

Commonwealth of Virginia

City ) ss.:  
~~County~~ of Lynchburg )

On this 6th day of July, 1998, Louis T. Lapaglia, known to be the President and Chief Executive Officer of Craddock-Terry, Inc. (the "Company") and the assignor above named, personally appeared before me and acknowledged that he executed the foregoing Assignment on behalf of the Company.

My commission expires: March 31, 1999

  
Notary Public