

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	Termination and Release of Security Interest in Trademark Rights

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
Wells Fargo Foothill, Inc.		12/06/2005	CORPORATION: CALIFORNIA

RECEIVING PARTY DATA

Name:	Overstock.com, Inc.
Street Address:	6322 South 3000 East
Internal Address:	Suite 100
City:	Salt Lake City
State/Country:	UTAH
Postal Code:	84121
Entity Type:	CORPORATION: DELAWARE

PROPERTY NUMBERS Total: 44

Property Type	Number	Word Mark
Registration Number:	2652834	OVERSTOCKB2B.COM
Registration Number:	2503245	OVER-STOCK.COM
Registration Number:	2503246	OVERSTOCK.COM
Registration Number:	2767082	GEAR.COM
Serial Number:	76495065	PRAGUE
Serial Number:	76502895	LAUREL CREEK
Serial Number:	78248627	TEENSTOCK.COM
Serial Number:	78249545	OVERSTOCK.COM THE REAL DEAL
Serial Number:	78255612	THE BIG O OVERSTOCK.COM
Serial Number:	78255698	OVERSTOCK.COM THE BIG O
Serial Number:	76535671	O
Serial Number:	76535475	O.
Serial Number:	78261212	OCOMMERCE

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Serial Number:	78260896	OAPPAREL
Serial Number:	78261199	OATHLETICS
Serial Number:	78261473	OFURNISHINGS
Serial Number:	78261441	OHANDMADE
Serial Number:	78261236	OTRAVEL
Serial Number:	78260881	OMACHINES
Serial Number:	78261421	OLINENS
Serial Number:	78260974	WORLDSTOCK MAKING A WORLD OF DIFFERENCE
Serial Number:	78260961	WORLDSTOCK
Serial Number:	78269336	SAFE CLICK SHOPPING
Serial Number:	78283555	SAFE CLICK
Serial Number:	78283533	YOUR ONLINE OUTLET
Serial Number:	78283526	OVERSTOCK.COM YOUR ONLINE OUTLET
Serial Number:	78283514	OVERSTOCK.COM THE ONLINE OUTLET
Serial Number:	78283710	O'
Serial Number:	78285904	OMAIL
Serial Number:	78306570	OVERSTOCK.COM
Serial Number:	78306721	YOUR MOBILE OUTLET
Serial Number:	78312215	O.COM
Serial Number:	78334378	OVERRUN.COM
Serial Number:	78334389	OVERRUNS.COM
Serial Number:	78349389	IT'S ALL ABOUT THE O
Serial Number:	78402631	OLERT
Serial Number:	78390967	OMAIL.COM
Serial Number:	78390979	OVERSTOCKB2B
Serial Number:	78374907	CLUB O
Serial Number:	78389328	IT'S ALL ABOUT THE O.
Serial Number:	78389342	OVERSTOCK.COM - IT'S ALL ABOUT THE O
Serial Number:	78389355	IT'S ALL ABOUT THE O - OVERSTOCK.COM
Serial Number:	78260867	OELECTRONICS
Serial Number:	76505470	MASHIDA

CORRESPONDENCE DATA

Fax Number: (415)268-7522

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Email: bmoylan@mofo.com
Correspondent Name: Lynn M. Humphreys
Address Line 1: Morrison & Foerster LLP, 425 Market St.
Address Line 4: San Francisco, CALIFORNIA 94105-2482

ATTORNEY DOCKET NUMBER:	51270-34
NAME OF SUBMITTER:	Lynn M. Humphreys
Signature:	/Lynn M. Humphreys/
Date:	12/14/2005

Total Attachments: 5

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**TERMINATION AND RELEASE OF SECURITY INTEREST
IN TRADEMARK RIGHTS**

TERMINATION AND RELEASE dated as of December 6, 2005, from Wells Fargo Foothill, Inc., a California corporation ("WFF") to Overstock.com, Inc., a Delaware corporation (the "Company"), located at 6322 South 3000 East, Suite 100, Salt Lake City, Utah 84121.

WITNESSETH:

WHEREAS, pursuant to the Trademark Security Agreement dated as of May 6, 2004, in favor of WFF (the "Security Agreement"), a security interest was granted by the Company to WFF in certain collateral, including the Trademark Collateral (as hereinafter defined);

WHEREAS, the Security Agreement was recorded in the Trademark Division of the United States Patent and Trademark Office on May 12, 2004, at Reel 002847 and Frame 0547; and

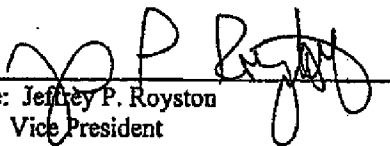
WHEREAS, WFF now desires to terminate and release the entirety of its Security Interest in the Trademark Collateral;

NOW, THEREFORE, for good and valuable consideration including the satisfaction of all obligations, indebtedness and liabilities secured by the Trademark Collateral pursuant to the Security Agreement, the receipt and adequacy of which are hereby acknowledged, and upon the terms set forth in this termination and release, WFF hereby states as follows:

1. Definitions. The term "Trademark Collateral," as used herein, shall mean all of the Company's right, title and interest of every kind and nature as of the date hereof in the Trademarks (including, without limitation, those items listed on Schedule A hereto). The term "Trademarks" shall have the meaning provided by reference in the Security Agreement.
2. Release of Security Interest. WFF hereby terminates, releases and discharges its Security Interest in the Trademark Collateral, and any right, title or interest of WFF in such Trademark Collateral shall hereby cease and become void.
3. Representations and Warranties. WFF represents and warrants that: (i) it has the full power and authority to execute this termination and release; and (ii) it has not assigned, transferred, restricted or otherwise encumbered any Security Interest it has against the Trademark Collateral.
4. Further Assurances. WFF hereby agrees to duly execute, acknowledge, procure and deliver any further documents and to do such other acts as may be reasonably necessary to effect the release of the Security Interest contemplated hereby.

IN WITNESS WHEREOF, the undersigned has executed this termination and release by its duly authorized officer as of the date first above written.

WELLS FARGO FOOTHILL, INC.

By: 
Name: Jeffrey P. Royston
Title: Vice President

Schedule A

U.S. Trademark Applications

Title	App. No.	Filing Date
PRAGUE	76/495,065	03/06/2003
LAUREL CREEK	76/502,895	04/01/2003
TEENSTOCK.COM	78/248,627	05/15/2003
OVERSTOCK.COM THE REAL DEAL	78/249,545	05/14/2003
THE BIG O OVERSTOCK.COM	78/255,612	05/29/2003
OVERSTOCK.COM THE BIG O	78/255,698	05/29/2003
O	76/535,671	08/08/2003
O.	76/535,475	08/08/2003
OCOMMERCE	78/261,212	06/11/2003
OELECTRONICS	78/260,867	06/11/2003
OAPPAREL	78/260,896	06/11/2003
OATHLETICS	78/261,199	06/11/2003
OFURNISHINGS	78/261,473	06/12/2003
OHANDMADE	78/261,441	06/12/2003
OTRAVEL	78/261,236	06/11/2003
OMACHINES	78/260,881	06/11/2003
OLINENS	78/261,421	06/12/2003
WORLDSTOCK - MAKING A WORLD OF DIFFERENCE	78/260,974	06/11/2003
WORLDSTOCK	78/260,961	06/11/2003
SAFE CLICK SHOPPING	78/269,336	07/01/2003

Title	App. No.	Filing Date
SAFE CLICK	78/283,555	08/05/2003
YOUR ONLINE OUTLET	78/283,533	08/05/2003
OVERSTOCK.COM - YOUR ONLINE OUTLET	78/283,526	08/05/2003
OVERSTOCK.COM - THE ONLINE OUTLET	78/283,514	08/05/2003
O'	78/283,710	08/06/2003
OMAIL	78/285,904	08/11/2003
OVERSTOCK.COM	78/306,570	09/23/2003
YOUR MOBILE OUTLET	78/306,721	09/23/2003
O.COM	78/312,215	10/10/2003
OVERRUN.COM	78/334,378	12/01/2003
OVERRUNS.COM	78/334,389	12/01/2003
IT'S ALL ABOUT THE O	78/349,389	01/08/2004
OLERT	78/402,631	04/15/2004
OMAIL.COM	78/390,967	03/25/2004
OVERSTOCKB2B	78/390,979	03/25/2004
CLUB O	78/374,907	02/26/2004
IT'S ALL ABOUT THE O	78/389,328	03/23/2004
OVERSTOCK.COM - IT'S ALL ABOUT THE O	78/389,342	03/23/2004
IT'S ALL ABOUT THE O - OVERSTOCK.COM	78/389,355	03/23/2004
MASHIDA	76/505,470	04/10/2003

U.S. Trademark Registrations

Title	Reg. No.	Reg. Date
OVERSTOCKB2B.COM	2,652,834	11/19/2002
OVER-STOCK.COM	2,503,245	10/30/2001
OVERSTOCK.COM	2,503,246	10/30/2001
GEAR.COM (DESIGN)	2,767,082	09/23/03

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