

09-17-1998

10-07-1998

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #39



**RECORDATION FORM COVER SHEET
TRADEMARKS ONLY**

100845189

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

New **9-17-98**

Resubmission (Non-Recordation)
Document ID #

Correction of PTO Error
Reel # Frame #

Corrective Document
Reel # Frame #

Conveyance Type

Assignment License

Security Agreement Nunc Pro Tunc Assignment

Merger

Change of Name

Other

Effective Date
Month Day Year
 12 19 1997

Conveying Party

Mark if additional names of conveying parties attached

Execution Date
Month Day Year

Name SMART HOUSE, L.P.

09 17 98

Formerly

Individual General Partnership Limited Partnership Corporation Association

Other

Citizenship/State of Incorporation/Organization Delaware

Receiving Party

Mark if additional names of receiving parties attached

Name SMART HOUSE, INC.

DBA/AK/A

Composed of

Address (line 1) 4630 Paragon Park Road

Address (line 2)

Address (line 3) Raleigh NC / USA 27616
City State/Country Zip Code

Individual General Partnership Limited Partnership If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)

Corporation Association

Other

Citizenship/State of Incorporation/Organization Delaware

10/02/1998 DNGUYEN 00000191 1370648

FOR OFFICE USE ONLY

01 FC:481 40.00 OP
02 FC:482 100.00 OP

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Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

TRADEMARK
REEL: 1795 FRAME: 0540

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Correspondent Name and Address

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

#

Trademark Application Number(s) or Registration Number(s)

Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)			Registration Number(s)		
<input type="text"/>	<input type="text"/>	<input type="text"/>	1,370,648	1,381,866	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	1,838,571	1,755,843	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	1,853,510	<input type="text"/>	<input type="text"/>

Number of Properties

Enter the total number of properties involved.

#

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$

Method of Payment:

Enclosed

Deposit Account

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

Authorization to charge additional fees:

Yes

No

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. Charges to deposit account are authorized, as indicated herein.

Douglas W. Kenyon

2/12/98

Name of Person Signing

Signature

Date Signed


AFFIDAVIT OF MARK ELLIS TIPTON

I, Mark Ellis Tipton, being first duly sworn, state as follows:

1. I am Chief Executive Officer of SMART HOUSE, Inc., a company incorporated under the laws of the State of Delaware. I am duly authorized by SMART HOUSE, Inc. to make this Affidavit. I have personal knowledge of the facts stated herein.

2. On or about December 19, 1997, SMART HOUSE, Inc. acquired from SMART HOUSE, L.P., pursuant to the Joint Plan of Reorganization approved by the United States Bankruptcy Court for the District of Maryland in In re SMART HOUSE, L.P. et al., Case Nos. 97-18473-PM, 97-18474-PM, the trademarks and service marks of SMART HOUSE, L.P. and SMART HOUSE Development Venture, Inc. and the federal, state, and foreign registrations of SMART HOUSE, L.P. and SMART HOUSE Development Venture, Inc. A true and correct list of the federal registrations is attached hereto as Exhibit A. A true and correct list of the state registrations is attached as Exhibit B. A true and correct list of the foreign registrations is attached as Exhibit C.

FURTHER AFFIANT SAYETH NOT.


MARK ELLIS TIPTON

Sworn to and subscribed before me
this 17 day of September, 1998.

Tina Renee Smith
Notary Public

My commission expires: September 25, 2002

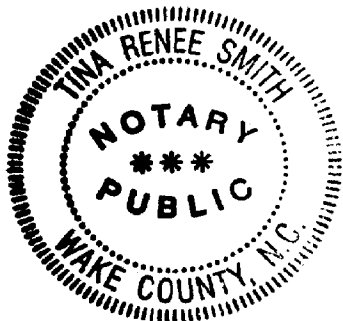


EXHIBIT A

FEDERAL REGISTRATIONS

Mark	Reg. No.	Reg. Date
Design of Smart House	1,370,648	11/12/85
Design of Smart House	1,838,571	06/07/94
Design of Smart House	1,853,510	09/13/94
SMART HOUSE and Design	1,381,866	02/04/86
SMART HOUSE and Design	1,755,843	03/02/93

EXHIBIT B**STATE REGISTRATIONS**

Mark	Reg. No.	Reg. Date
SMART HOUSE	106172 Alabama	08/09/94
SMART HOUSE	106173 Alabama	08/09/94
SMART HOUSE	106174 Alabama	08/09/94
SMART HOUSE	34083 Arizona	07/18/94
SMART HOUSE	34084 Arizona	07/18/94
SMART HOUSE	16994 Arkansas	08/23/94
SMART HOUSE	17094 Arkansas	08/23/94
SMART HOUSE	99214 California	08/09/94
SMART HOUSE and Design	9360 Connecticut	08/23/94
SMART HOUSE and Design	9361 Connecticut	08/23/94
SMART HOUSE and Design	9362 Connecticut	08/23/94
SMART HOUSE	17758 Delaware	07/27/94
SMART HOUSE	17761 Delaware	08/19/94
SMART HOUSE	T941340 Florida	10/18/94
SMART HOUSE	T941341 Florida	10/18/94
SMART HOUSE and Design	T941342 Florida	10/18/94
SMART HOUSE and Design	S13939 Georgia	09/30/94
SMART HOUSE	T13940 Georgia	09/30/94

EXHIBIT B**STATE REGISTRATIONS**

Mark	Reg. No.	Reg. Date
SMART HOUSE	10358 Kentucky	09/15/94
SMART HOUSE and Design	Louisiana	07/18/94
SMART HOUSE and Design	Louisiana	07/18/94
SMART HOUSE and Design	Louisiana	07/18/94
SMART HOUSE	19950051 Maine	09/12/94
SMART HOUSE	19947645 Maryland	07/12/94
SMART HOUSE	19947646 Maryland	07/12/94
SMART HOUSE	1994S3277	07/12/94
SMART HOUSE	52173 Massachusetts	01/23/96
SMART HOUSE	52174 Massachusetts	01/22/96
SMART HOUSE	52175 Massachusetts	01/22/96
SMART HOUSE	M00120 Michigan	10/24/94
SMART HOUSE	M00121 Michigan	10/24/94
SMART HOUSE	M00122 Michigan	10/24/94
SMART HOUSE and Design	Mississippi	08/19/94
SMART HOUSE and Design	Mississippi	08/19/94
SMART HOUSE and Design	Mississippi	08/19/94
SMART HOUSE and Design	12885 Missouri	07/22/94
SMART HOUSE and Design	12886 Missouri	07/22/94
SMART HOUSE and Design	S12887 Missouri	07/22/94
SMART HOUSE and Design	18070 Montana	09/09/94

EXHIBIT B**STATE REGISTRATIONS**

Mark	Reg. No.	Reg. Date
SMART HOUSE and Design	18071 Montana	09/09/94
SMART HOUSE and Design	18072 Montana	09/09/94
SMART HOUSE	Nebraska	07/18/94
SMART HOUSE	Nebraska	07/18/94
SMART HOUSE	Nebraska	07/18/94
SMART HOUSE and Design	27540 Nevada	07/14/94
SMART HOUSE and Design	27541 Nevada	07/14/94
SMART HOUSE and Design	Nevada	07/14/94
SMART HOUSE	New Hampshire	02/29/96
SMART HOUSE	New Hampshire	02/29/96
SMART HOUSE	New Hampshire	02/29/96
SMART HOUSE and Design	SM12810 New Jersey	08/01/94
SMART HOUSE and Design	TM12811 New Jersey	08/01/94
SMART HOUSE and Design	TK94072911 New Mexico	07/29/94
SMART HOUSE and Design	TK94072912 New Mexico	07/29/94
SMART HOUSE	S14249 New York	09/02/94
SMART HOUSE	R27711 New York	09/02/94
SMART HOUSE and Design	R27712 New York	09/02/94
SMART HOUSE	11966 North Carolina	03/22/96
SMART HOUSE	11968 North Carolina	03/22/96
SMART HOUSE	11969 North Carolina	03/22/96

EXHIBIT B**STATE REGISTRATIONS**

Mark	Reg. No.	Reg. Date
SMART HOUSE	6812600 North Dakota	10/11/94
SMART HOUSE	TM14871 Ohio	11/19/96
SMART HOUSE	TM14872 Ohio	11/19/96
SMART HOUSE	SM69868 Ohio	11/19/96
SMART HOUSE	27569 Oklahoma	10/25/95
SMART HOUSE	27570 Oklahoma	10/25/95
SMART HOUSE	27571 Oklahoma	10/25/95
SMART HOUSE	TS28580 Oregon	09/21/94
SMART HOUSE (Stylized)	2586422 Pennsylvania	06/20/94
SMART HOUSE (Stylized)	2586424 Pennsylvania	06/20/94
SMART HOUSE (Stylized)	2586425 Pennsylvania	06/20/94
SMART HOUSE (Stylized)	94-8-10 Rhode Island	08/22/94
SMART HOUSE (Stylized)	94-8-11 Rhode Island	08/22/94
SMART HOUSE (Stylized)	94-8-12 Rhode Island	08/22/94
SMART HOUSE and Design	South Carolina	09/02/94
SMART HOUSE and Design	South Carolina	09/02/94
SMART HOUSE and Design	South Carolina	09/02/94
SMART HOUSE and Design	South Dakota	08/11/94
SMART HOUSE and Design	South Dakota	08/11/94
SMART HOUSE	South Dakota	08/11/94
SMART HOUSE	Tennessee	07/19/94
SMART HOUSE	Tennessee	07/19/94

EXHIBIT C**INTERNATIONAL REGISTRATIONS**

Mark	Reg. No.	Reg. Date
SMART HOUSE and Design	520,747 Australia (Application)	10/09/89
SMART HOUSE and Design	129,352 Austria	01/30/90
SMART HOUSE and Design	472,087 Benelux	10/05/89
SMART HOUSE and Design	414,311 Canada	07/09/93
SMART HOUSE and Design	1,555,334 France	10/13/89
SMART HOUSE and Design	395 24 870 Germany	05/22/96
SMART HOUSE and Design	A1,400,570 Great Britain	07/17/92
SMART HOUSE and Design	521,076 India (Application)	12/11/89
SMART HOUSE and Design	142,401 Ireland	10/04/93
SMART HOUSE and Design	573,835 Italy	08/20/92
SMART HOUSE and Design	2,483,606 Japan	12/25/92
SMART HOUSE and Design	14,024 Korea (South)	05/06/91
SMART HOUSE and Design	B196435 New Zealand	01/09/96
SMART HOUSE and Design	1,525,537 Spain	12/07/92
SMART HOUSE and Design	379,716 Switzerland	11/09/89
SMART HOUSE and Design	50,887 Taiwan	12/16/91