

11-17-1998



100879182

MRD 11.9.98

RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

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

Submission Type

- New
- 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
Effective Date
Month Day Year
- Merger
- Change of Name
- Other

Conveying Party

Mark if additional names of conveying parties attached

Name

Execution Date
Month Day Year

Formerly

- Individual General Partnership Limited Partnership Corporation Association

Other

Citizenship/State of Incorporation/Organization

Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

- Individual General Partnership Limited Partnership

Corporation Association

Other

Citizenship/State of Incorporation/Organization

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.)

11/12/1998 SBURMS 00000150 160633 1739578

FOR OFFICE USE ONLY

01 FC:481 40.00 CH
02 FC:482 25.00 CH

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

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: 1813 FRAME: 0909

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"/>	<input type="text" value="1 739 578"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="1 760 013"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<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.

Adrienne R. Moss

11-6-98

Name of Person Signing

Signature

Date Signed

ASSIGNMENT OF TRADEMARKS

WHEREAS, American Biltrite Inc., a Delaware corporation with a principal place of business at 57 River Street, Wellesly Hills, Massachusetts 02181 (hereinafter "BILTRITE"), is the owner of the trademarks, trademark registrations, and trademark applications scheduled in Attachment A annexed hereto (hereinafter the "TRADEMARKS"); and

WHEREAS, BILTRITE entered into a certain Joint Venture Agreement with Resilient Holdings Incorporated, Congoleum Corporation, Hillside Industries Incorporated, and Hillside Capital Incorporated, dated as of December 16, 1992 pursuant to which BILTRITE agreed to assign the assets of BILTRITE's U.S. Flooring Division, including but not limited to all of BILTRITE's right, title, and interest in and to the TRADEMARKS, to Congoleum Holdings Incorporated, a Delaware corporation with a principal place of business in Trenton, New Jersey ("HOLDINGS"); and

WHEREAS, HOLDINGS is desirous of acquiring all rights in the TRADEMARKS.

NOW, THEREFORE, effective as of the date hereof, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, BILTRITE does hereby assign unto HOLDINGS, its successors and assigns, in furtherance

TRADEMARK

REEL 9147 FRAME 54

but not in limitation of the Bill of Sale/Assignment and Assumption between BILTRITE and HOLDINGS of even date herewith, all of its right, title and interest in and to the TRADEMARKS, including (i) the goodwill of the business symbolized thereby; (ii) the registrations, including any and all renewals thereof, and applications for registration of the TRADEMARKS; and (iii) the right to sue for injunctive relief and collect damages for past infringement of the TRADEMARKS.

IN WITNESS WHEREOF, the undersigned has caused this Trademark Assignment to be duly executed by its authorized officer as of March 11, 1993.

AMERICAN BILTRITE INC.

By: Gilbert K. Gailus
Title: Vice President - France

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

Before me personally appeared said Gilbert K. Gailus and acknowledged the foregoing instrument to be his free act and deed this 11 day of March, 1993.

TRADEMARK

PH10917 FRAME355

Judith H. McGoff
Notary Public

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JUDITH H. MCGOFF
Notary Public, State of New York
My Comm. Expires [blank] 19[blank]
Office [blank] [blank] County
Cert. of Qualification [blank] [blank] County
Commission Expires May 31, 19[blank]

TRADEMARK
REEL: 1813 FRAME: 0912

AMERICAN BILTRITE INC.
 TRADEMARKS - AMTICO FLOORING DIVISION
 November 20, 1992

<u>Country</u>	<u>Trademark</u>	<u>Reg. No.</u>	<u>Appln. No.</u>
U.S.A.	AMTICO	1,038,538	
U.S.A.	AMTICO & DESIGN	803,389	
U.S.A.	AMTICO & DESIGN	825,632	
U.S.A.	AMTICO CARE-FREE	677,956	
U.S.A.	AMTICO DESIGNER SHOWCASE	1,503,933	
U.S.A.	AMTICO PROMENADE & DESIGN	754,501	
U.S.A.	AMTICON		74/250,456
U.S.A.	CHEVRON DESIGN	1,036,271	
U.S.A.	CLASSIC TOUCH	1,478,834	
U.S.A.	DECATHLON	1,365,708	
U.S.A.	DURAGUARD	1,621,357	
U.S.A.	DURASTEP	1,311,108	
U.S.A.	DURATONE		74/133,809
U.S.A.	DURAVINYL	800,619	
U.S.A.	EVOLUTION		74/220,994
U.S.A.	EXCLAMATION	1,712,737	
U.S.A.	FORTRESS	1,497,852	
U.S.A.	FORTUNA	896,788	
U.S.A.	FORUM	1,497,846	
U.S.A.	KILN ROYAL	1,468,443	
U.S.A.	LUXURY VINYL TILE	1,518,970	
U.S.A.	MAJESTIC	1,347,882	

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<u>Country</u>	<u>Trademark</u>	<u>Req. No.</u>	<u>Appln. No.</u>
U.S.A.	METROPOLITAN	1,496,870	
U.S.A.	MICRO-GROUND	1,621,358	
U.S.A.	NIEU AMSTERDAM	896,789	
U.S.A.	PLATINUM COLLECTION		102,176
U.S.A.	PROMENADE	754,501	
U.S.A.	SUNBEAM	1,346,184	
U.S.A.	SUNBRIGHT	1,078,483	
U.S.A.	TUFFITE	966,588	
U.S.A.	ZIP-STIK	892,355	
BRAZIL	AMTICO		1232/063912
CHILE	AMTICO		366,083

UNREGISTERED TRADEMARKS

U.S.A.	BLUE LABEL
U.S.A.	NEW GENERATION
U.S.A.	ADVANTAGE
U.S.A.	DESIGNER CAREFREE

TRADEMARK

RECORDED
 APR 12 1973

RECORDED
 PATENT AND TRADEMARK
 OFFICE

APR 12 1973

Attachment To Trademark Cover Sheet

Trademark Applications Assigned By American Biltrite Inc.
To Congoleum Holdings Incorporated

TRADEMARK APPLICATION NUMBERS

74/230,456

74/133,809

74/220,994

102,176

TRADEMARK

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Attachment To Trademark Cover Sheet

Trademarks Assigned By American Biltrite Inc.
To Congoleum Holdings Incorporated

TRADEMARK REGISTRATION NUMBERS

1,038,538	754,501
803,389	1,346,184
825,632	1,078,483
677,956	966,588
1,503,933	892,355
754,501	
1,036,271	
1,478,834	
1,365,708	
1,621,357	
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896,789	

TRADEMARK

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