

11-27-1998

*MPR 11-23-98*

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DEPARTMENT OF COMMERCE  
Patent and Trademark Office

100908026

To the Honorable Commissioner of Patents and Trademarks.

at or copy thereof.

1. Name of Party(ies) conveying an interest:

Wayne Homes, Inc.  
3777 Boettler Oaks Drive  
Uniontown, Ohio 44685

- Individual(s)
- General Partnership
- Corporation - Ohio
- Other
- Association
- Limited Partnership

2. Name and Address of Party(ies) receiving an interest:

Wayne Homes, L.L.C.  
2728 N. Harwood  
Dallas, Texas 75201

- Individual
- General Partnership
- Corporation
- Other - Delaware limited liability company
- Citizenship
- Association
- Limited Partnership

3. Interest Conveyed:

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

If not domiciled in the United States, a domestic representative designation is attached:

- Yes
- No

Execution Date: April 30, 1998 (The attached document must not be an assignment)

4. Application number(s) or registration number(s). Additional sheet attached? Yes  No

A. Trademark Application No.(s)

B. Trademark Registration No.(s)  
2,071,800  
2,146,832

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

Name: Anna Conyers Kuhn, Esq.  
Internal Address: Baker & Botts, L.L.P.  
Street Address: 2001 Ross Avenue  
City: Dallas  
State: Texas Zip: 75201

6. Number of applications and registrations involved: 2

7. Amount of fee enclosed or authorized to be charged: \$65.00  
8. Deposit account number (Attach duplicate copy of this form if paying by deposit account):  
N/A

DO NOT USE THIS SPACE

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.*

Anna Conyers Kuhn  
Name of Person Signing

*[Signature]*  
Signature

11-20-98  
Date

Total number of pages including cover sheet 5

OMB No. 0651-0011 (exp.4/94)

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Mail documents to be recorded with required cover sheet information:  
11/27/1998 SSMITH 00000211 2071800  
Commissioner of Patent and Trademarks  
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01 FC:481  
02 FC:482

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TRADEMARK  
REEL: 1819 FRAME: 0558

# TRADEMARK ASSIGNMENT

WHEREAS, **WAYNE HOMES, INC.** (hereafter "Assignor"), an Ohio corporation, having an address of 3777 Boettler Oaks Drive, Uniontown, Ohio 44685 adopted and used the service mark listed on Exhibit A, and is the owner of all right, title, and interest in and to such service mark and registration, and in the service mark and federal application, and other words, symbols and designs for which there is no application generally referred to in Exhibit A (the "Marks") attached hereto; and

WHEREAS, **WAYNE HOMES, L.L.C.** (hereafter "Assignee"), a Delaware limited liability company, having an address of 2728 N. Harwood, Dallas, Texas, 75201, desires to acquire all right, title, and interest in and to the Marks.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby grant, assign, and set over to Assignee, its successors, assigns, and legal representatives, its entire right, title, and interest in and to the Marks, together with the goodwill of the business symbolized by such Marks.

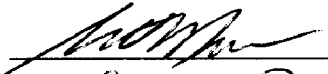
Assignor also assigns unto Assignee all claims for damages by reason of past infringement of such Marks, with the right to sue for and collect the same for its own use and benefit, and for the use and benefit of its successors, assigns, and other legal representatives.

IN WITNESS WHEREOF, the parties have caused their duly authorized

representatives to execute this Trademark Assignment on the dates and in the capacities shown below.

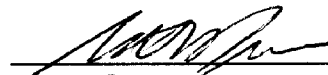
**ASSIGNOR:**

**WAYNE HOMES, INC.,**  
an Ohio corporation

By:   
Name: SCOTT C. DUNN  
Title: V.P.  
Date: April 30 1998

**ASSIGNEE:**

**WAYNE HOMES, L.L.C.,**  
a Delaware limited liability company

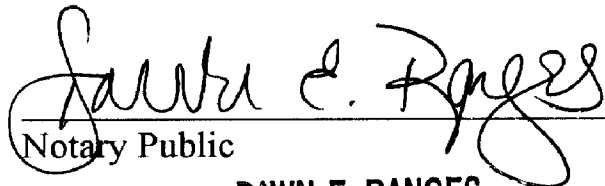
By:   
Name: SCOTT C. DUNN  
Title: PRESIDENT  
Date: April 30, 1998

STATE OF OHIO §

COUNTY OF Summit §

On April 30, 1998, before me, Dawn E. Ranges, a Notary Public in and for said County and State, personally appeared Scott Dunn, Vice President of WAYNE HOMES, INC., an Ohio corporation, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

  
Notary Public

**DAWN E. RANGES**  
Attorney At Law  
Reg. No. 0066738

My Commission Has No Expiration

STATE OF OHIO §

COUNTY OF Summit §

On April 30, 1998, before me, Dawn E. Ranges, a Notary Public in and for said County and State, personally appeared Scott Dunn, President of WAYNE HOMES, L.L.C., a Delaware limited liability company, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

  
Notary Public

**DAWN E. RANGES**  
Attorney At Law  
Reg. No. 0066738  
Commission Has No Expiration

**EXHIBIT A**

Federal Service Mark Registration

Service Mark Registration No.	Registration Date	Mark
2,071,800	6/17/97	Wayne Homes
2,146,832	3/24/98	Building Better for Less

Other Marks

Various Wayne Homes Logo Styles

House Design Names

Collection Names

Other words associated with the business of Wayne Homes, Inc.