

06-24-1999

Patent & TMOfc/TM Mail Rcpt Dt. #54

07-06-1999

6/24/99

RECORDATION FORM COVER SHEET
TRADEMARKS ONLY



101084289

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

Execution Date
Month Day Year

Name HEI, Inc.

6/17/99

Formerly N/A

Individual General Partnership Limited Partnership Corporation Association

Other _____

Citizenship/State of Incorporation/Organization Virginia

Receiving Party

Mark if additional names of receiving parties attached

Name Garden Gazebo, Inc.

DBA/AKA/TA N/A

Composed of _____

Address (line 1) 131 Newmarket Fair

Address (line 2) _____

Address (line 3) Newport News VA 23605
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 Virginia

07/02/1999 DNGUYEN 00000201 1938459

FOR OFFICE USE ONLY

01 FC:481 40.00 DP

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

REEL: 001922 FRAME: 0878

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)

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.

Beth Hirsch Berman

Beth Hirsch Berman

6/22/99

Name of Person Signing

Signature

Date Signed

SERVICE ASSIGNMENT

HEI, INC.

WHEREAS, HEI, Inc., a Virginia corporation, having its principal place of business in Richmond, Virginia ("Assignor") has adopted and used and is the sole and exclusive owner of the mark "GARDEN GAZEBO," Registration No. 1,938,459 registered by the United States Patent and Trademark Office on the principal register on November 28, 1995; and

WHEREAS, Garden Gazebo, Inc., a Virginia corporation ("Assignee") desires to acquire the entire right, title, license, goodwill and interest in, to and under the said service mark, together with the goodwill of the business in connection with which the said service mark is used and which is symbolized by said service mark, along with the right to recover for damages and profits for past infringements thereof;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby irrevocably contribute, transfer, convey, sell and assign to Assignee its entire right, title, license, and interest in and all subsidiary rights of Assignor into and under the service mark, as well as any and all common law rights therein, together and with all rights and privileges granted and secured thereby, including but not limited to, the right to sue and recover for any past or continuing infringement or dilution of said service mark, and the goodwill of the business in connection with which said service mark is used and which is symbolized by said service mark.

Assignor agrees to execute and deliver to Assignee, all papers, instruments and assignments and to perform any other reasonable acts Assignee may require in order to vest all Assignor's rights, title and interest in and to the service mark in the Assignee.

IN WITNESS WHEREOF, a duly authorized officer of Assignor has executed this Assignment

as of this 17 day of June, 1999.

HEI, INC.

By: Hugh H. Edmunds, Jr.
President

COMMONWEALTH OF VIRGINIA
CITY OF RICHMOND, TO-WIT:

The foregoing instrument was acknowledged before me this 17th day of June, 1999, Hugh Edmunds, President of HEI, Inc. on its behalf.

[Signature]
Notary Public

My Commission expires: 7-31-99.