

10-18-1999



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TRADEMARKS ONLY

1 SHEET

001 8

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

☐ Nunc Pro Tunc Assignment

☐ Merger

Change of Name

☒ Other

Notice of Grant of Security Interest

Effective Date
Month Day Year

9/15/99

Conveying Party

☐ Mark if additional names of conveying parties attached

Name

Home Planners, LLC

Execution Date
Month Day Year

9/15/99

Formerly

☐ Individual

☐ General Partnership

☐ Limited Partnership

☐ Corporation

☐ Association

☒ Other

Limited Liability Company

☒ Citizenship/State of Incorporation/Organization

Arizona

Receiving Party

☐ Mark if additional names of receiving parties attached

Name

First Union National Bank, as Agent

DBA/AKA/TA

Composed of

Address (line 1)

One First Union Center

Address (line 2)

TW-9

Address (line 3)

Charlotte

NC

28288-0608

City

State/Country

Zip Code

☐ Individual

☐ General Partnership

☐ Limited Partnership

☐ Corporation

☐ Association

☒ Other

National Banking Association

☐ 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.)

10/15/1999 00000323 1941000

01 FC:481
02 FC:482

40.00 OP
175.00 OP

FOR OFFICE USE ONLY

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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

Domestic Representative Name and Address

Enter for the first Receiving Party Only.

Name N/A

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Correspondent Name and Address

Area Code and Telephone Number (919) 286-8000

Name Mark H. Webbink

Address (line 1) Moore & Van Allen, PLLC

Address (line 2) 2200 West Main Street

Address (line 3) Suite 800

Address (line 4) Durham, NC 27705-4658

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

7

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)

1,941,800

1,535,262

1,133,661

1,708,106

1,534,247

957,334

1,551,926

1,529,690

Number of Properties

Enter the total number of properties involved.

#

8

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$

215.00

Method of Payment:

Enclosed ☒

Deposit Account ☒

Deposit Account

(any deficiency)

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

Deposit Account Number:

#

13-4365

Authorization to charge additional fees:

Yes ☒

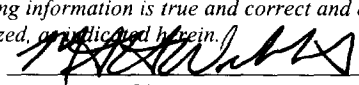
No ☐

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.

Mark H. Webbink

Name of Person Signing


Signature

10/5/99
Date Signed

NOTICE
OF
GRANT OF SECURITY INTEREST
IN
TRADEMARKS

United States Patent and Trademark Office

Gentlemen:

Please be advised that pursuant to the Security Agreement dated as of September 15, 1999 (the "Security Agreement") by and among the Obligors party thereto (each an "Obligor" and collectively, the "Obligors") and First Union National Bank, as Agent (the "Agent") for the financial institutions referenced therein (the "Lenders"), the undersigned Obligor has granted a continuing security interest in and continuing lien upon, the trademarks and trademark applications shown below to the Agent for the ratable benefit of the Lenders:

TRADEMARKS

| <u>Trademark No.</u> | Description of Trademark <u>Item</u> | Date of <u>Trademark</u> |
|----------------------|---|-----------------------------|
| | See attached Schedule A | |

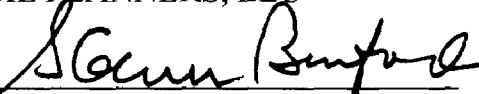
TRADEMARK
APPLICATIONS

| <u>Trademark Application No.</u> | Description of Trademark <u>Applied For</u> | Date of Trademark <u>Application</u> |
|--------------------------------------|--|---|
| | See attached Schedule A | |

The Obligors and the Agent, on behalf of the Lenders, hereby acknowledge and agree that the security interest in the foregoing trademarks and trademark applications (i) may only be terminated in accordance with the terms of the Security Agreement and (ii) is not to be construed as an assignment of any trademark or trademark application.

Very truly yours,

HOME PLANNERS, LLC

By: 

Name: S. Gerard Benford

Title: Vice-President

Acknowledged and Accepted:

FIRST UNION NATIONAL BANK,
as Agent

By: 

Name: Jeffrey M Grant

Title: Vice-President

Home Planners, LLC

U.S. Trademarks

Registered Marks

| Mark | Registration No. | Registration Date |
|--------------------------------|------------------|-------------------|
| QUOTE ONE | 1,941,800 | 12/12/95 |
| THE HOME CUSTOMIZER (Stylized) | 1,708,106 | 8/18/92 |
| HOME PLANNER | 1,551,926 | 8/15/89 |
| PLAN-A-HOME (Stylized) | 1,535,262 | 4/18/89 |
| LIFESTYLE HOME PLAN | 1,534,247 | 4/11/89 |
| CONTEMPRA | 1,529,690 | 3/14/89 |
| HOME PLANNERS and Design | 1,133,661 | 4/22/80 |
| HOME PLANNERS | 957,334 | 4/17/73 |