

03-27-2000

RE



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COVER SHEET
ONLY

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

Submission Type

Conveyance Type

New

Assignment

License

Resubmission
Document ID#

(Non-Recordation)

Security Agreement

Nunc Pro Tunc Assignment

Correction of PTO Error

Merger

Reel #

Frame #

Reel #

Frame #

Effective Date

Corrective Document

Change of Name

Month Day Year

Reel #

Frame #

Reel #

Frame #

Other

Conveying Party

Mark if additional names of conveying parties attached

Name: Beacon Auto Parts Company

Execution Date
Month Day Year

Formerly:

08-31-1998

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: General Parts, Inc.

DBA/AKA/TA

Composed of

Address (line 1) P.O. Box 26006

Address (line 2)

Address (line 3) Raleigh, North Carolina 27611

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

Other

Citizenship/State of Incorporation/Organization North Carolina

FOR OFFICE USE ONLY

40.00 0P

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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

2.23.00

03/27/2000 DECRIES 0000034 15851

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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) _____
City State/Country Zip Code

Correspondent Name and Address

Area Code and Telephone Number: 713/225-7106

Name: Gary L. Bush
Address (line 1) Mayor, Day, Caldwell & Keeton, L.L.P.
Address (line 2) 700 Louisiana, Suite 1900
Address (line 3) _____
Address (line 4) Houston, Texas 77002-2778
City State/Country Zip Code

Pages Enter the total number of pages of the attached conveyance document # 2
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)
1,586,193

Number of Properties Enter the total number of Properties involved. # 1
Fee Amount Fee Amount for Properties Listed (37 CFR 3.41): \$40.00
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: #50-0897
Authorization to charge additional fees: Yes X 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.

Gary L. Bush
Name of Person Signing


Signature

Dec. 6, 1999
Date Signed

ASSIGNMENT OF UNITED STATES TRADEMARK RIGHTS

WHEREAS, BEACON AUTO PARTS COMPANY (hereinafter referred to as "ASSIGNOR") a corporation organized and existing according to the laws of the State of Delaware having a principal place of business at 6013 Enterprise Drive, Export, Pennsylvania 15632, is currently reflected to be the owner of a certain United States trademark and has adopted, used and is using the mark, BOOMERANG DESIGN (hereinafter referred to as the "MARK in connection with the following goods and/or services: Retail and Wholesale Auto Parts and Accessories Store Services; and

WHEREAS ASSIGNOR owns a federal registration for the MARK on the Principal Register of the United States Patent and Trademark Office in connection with the goods and/or services identified therein, Registration No. 1,586,193 which registered on March 6, 1990; and

WHEREAS GENERAL PARTS, INC., a corporation organized and existing according to the laws of the State of NORTH CAROLINA, having a correspondence address of P.O. Box 26006, Raleigh, North Carolina 27611 (hereinafter referred to as "ASSIGNEE") is desirous of acquiring all of ASSIGNOR'S right, title and interest in, to and under said TRADEMARK RIGHTS, together with the goodwill of the business in connection with which the TRADEMARK RIGHTS are used and which is symbolized by the TRADEMARK RIGHTS, along with the right to recover for damages and profits for past infringements thereof;

NOW, THEREFORE, for good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, ASSIGNOR has agreed to and does hereby assign to ASSIGNEE all right, title and interest to said TRADEMARK RIGHTS together with the goodwill of the business in connection with which the TRADEMARK RIGHTS are used and which is symbolized by the TRADEMARK RIGHTS, and the registration thereof, *nunc pro tunc*, effective as of August 31, 1998.

ASSIGNOR hereby authorizes the Commissioner of Patents and Trademarks of the United States to issue the TRADEMARK RIGHTS to ASSIGNEE in accordance with the terms of this instrument.

October 20, 1999

IN TESTIMONY WHEREOF, I have set my hand this 23rd day of November, 1999.

BEACON AUTO PARTS COMPANY

Fred J. Pisciotta
Fred. J. Pisciotta
President

STATE OF Pennsylvania
COUNTY OF Westmoreland

BEFORE ME, the undersigned Notary Public, on this day personally appeared Fred J. Pisciotta known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same were the acts of said BEACON AUTO PARTS COMPANY., a corporation, and that he has executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN under my hand and seal of office this 23rd day of November, 1999.

Karen K. Maskiewicz
Notary Public

My Commission Expires:
Oct 7, 2002



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October 20, 1999