

09-28-2000



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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
- Merger Effective Date
Month Day Year
- 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/AKATA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

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

FOR OFFICE USE ONLY

09/27/2000 GTON11 00000201 75827573
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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: 002149 FRAME: 0168

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.

Kevin J. McDevitt, Esq.

Name of Person Signing



Signature

9/19/00

Date Signed

ASSIGNMENT

WHEREAS, Witex USA, Inc., a Georgia corporation located at 2850 Kennesaw 75 Parkway, Suite 200, Kennesaw, Georgia 30144 (“Assignor”), is the sole and exclusive owner of the trademark SILENT STEP (“the Mark”) which it has adopted and is using in connection with the following goods: flooring underlayment; and

WHEREAS, Assignor has applied to register the Mark on the Principal Register of the United States Patent and Trademark Office in connection with the above-described goods and/or services, Application Ser. No. 75/827,573, filed on October 20, 1999; and

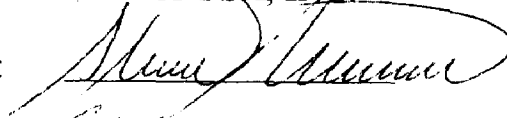
WHEREAS, Shaw Industries, Inc., a Georgia corporation located at 616 East Walnut Avenue, Dalton, Georgia 30722 (“Assignee”), desires to acquire the entire right, title and interest in, to and under the Mark, and the pending application;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby sells, assigns, transfers and sets over to Assignee all right, title and interest in, to and under the Mark, together with the goodwill symbolized by the Mark, and the pending application, together with all rights and privileges granted and secured thereby.

IN TESTIMONY WHEREOF, Assignor has executed this Assignment by its

proper officer thereunto duly authorized.

WITEX USA, INC.

By: 

Name: Stephen Newman

Title: Vice President

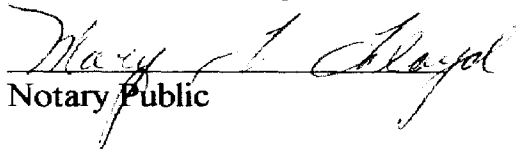
Dated: SEPTEMBER 15, 2000

State of GEORGIA)

) SS:

County of COBB)

On this 15 day of SEPTEMBER, 2000, before me appeared STEPHEN NEWMAN, the person who signed this instrument, who acknowledged that he or she signed it as a free act on behalf of WITEX USA, INC.


Notary Public

My commission expires:

Notary Public, Cobb County, Georgia
My Commission Expires April 12, 2004

Neal & McDevitt®

Attorneys At Law

1603 Orrington Avenue
Suite 2000
Evanston, Illinois 60201
Telephone: 847-424-8330
Facsimile: 847-424-8320

September 19, 2000

ATTORNEY DOCKET NO.: 44050-1301

VIA FIRST CLASS MAIL
COMMISSIONER OF PATENTS AND TRADEMARKS
Box Assignments
Washington, D.C. 20231

RE: Assignment

Dear Sir:

Enclosed please find a Recordation Form Cover Sheet Form PTO-1618A , together with an Assignment, and a check in the amount of \$40.00 to cover the recording fee.

Please charge any additional fees to Deposit Account No. 50-0640. A duplicate copy of this letter is enclosed.

Respectfully submitted,



Kevin J. McDevitt

KJM/kmc
Enclosures

TRADEMARK
REEL: 002149 FRAME: 0172

Neal & McDevitt®

Attorneys At Law

1603 Orrington Avenue
Suite 2000
Evanston, Illinois 60201
Telephone: 847-424-8330
Facsimile: 847-424-8320

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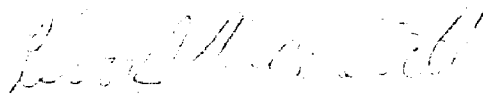
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