

11-17-2000



101520014

**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

☐ Change of Name

☒ Other

Effective Date  
Month Day Year

9 30 00

**Conveying Party**

☐ Mark if additional names of conveying parties attached

Name

Execution Date  
Month Day Year

9 30 00

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/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

☐ Individual ☐ General Partnership ☐ Limited Partnership

☒ Corporation ☐ Association

☐ Other

☐ 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.)

**FOR OFFICE USE ONLY**

11/16/2000 WTH411 00000129 1428015

01 FC:431 40.00 OP  
02 FC:482 25.00 OP

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: 002177 FRAME: 0378**

**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)**

<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

<input type="text" value="1,519,404"/>	<input type="text" value="1,428,015"/>	<input type="text"/>
(Principal Register)	(Supplemental Register)	
<input type="text"/>	<input type="text"/>	<input type="text"/>

**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.

Steven Goldberg

Name of Person Signing

Signature

Date Signed

**ASSIGNMENT OF INTEREST IN  
PATENT, TRADEMARK AND LICENSE MORTGAGE**

WHEREAS, Banc of America Commercial Finance Corporation f/k/a NationsCredit Commercial Corporation, a Delaware corporation, with an office at 1177 Avenue of the Americas, 36<sup>th</sup> Floor, New York, New York 10036 ("Assignor") entered into a Loan and Security Agreement, dated July 15, 1998 (as amended from time to time, the "Loan Agreement") by and between Assignor as lender and National Home Centers, Inc., an Arkansas Corporation, with its chief executive office and principal place of business at Highway 265 North, P.O. Box 789, Springdale, Arkansas 72765-0789 ("Mortgagor") as borrower; and

WHEREAS, pursuant to the Loan Agreement, and as evidenced by a Patent, Trademark and License Mortgage, dated July 15, 1998 (the "Mortgage"), Mortgagor granted to Assignor a security interest in substantially all of Mortgagor's assets, including, without limitation, its patents, patent applications, trademarks, trademark applications, tradenames, service marks, service mark applications, goodwill and licenses; and

WHEREAS, an executed copy of the Mortgage was filed at the United States Patent and Trademark Office in Reel \_\_\_, Frame \_\_\_ on \_\_\_, \_\_\_; and

WHEREAS, Foothill Capital Corporation, a California corporation, having an office at 2450 Colorado Avenue, Suite 3000 West, Santa Monica, California 90404 ("Assignee") has requested that Assignor assign its interest in the patents, trademarks and trademark applications listed on Exhibit A annexed hereto.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Assignor hereby:

1. assigns to Assignee any and all liens, security interests, right, title and interest of Assignor pursuant to the Mortgage including, without limitation, its interest in the patents, trademarks and trademark applications (together with the goodwill of the business symbolized thereby) which are described more fully on Exhibit A annexed hereto, without recourse or representation or warranty express or implied;
2. represents and warrants to Assignee that Assignor has not previously assigned or transferred any of its rights or interests in any security interests in or liens upon any such property; and
3. authorizes and requests the Commissioner of Patents and Trademarks of the United States of America to note and record the existence of the assignment hereby made.

IN WITNESS WHEREOF, Assignor has caused this Assignment to be signed by its duly authorized officer as of this 30th day of September, 2000.

BANC OF AMERICA COMMERCIAL  
FINANCE CORPORATION

By: Phyllis M. [Signature]

Title: Senior Vice President

STATE OF NEW YORK     )  
  ) ss.:  
COUNTY OF NEW YORK    )

On the 30th day of Oct, 2000, before me personally came Phyllis M. [Signature] to me known, who being by me duly sworn, did depose and say, that he/she is the Senior Vice President of BANC OF AMERICA COMMERCIAL FINANCE CORPORATION and that the foregoing instrument was signed on behalf of such corporation by authority of its Board of Directors, and he/she acknowledged the execution of said instrument to be the free act and deed of said corporation.

[Signature]  
Notary Public

DANIEL P. GREENSTEIN  
Notary Public, State of New York  
No. 02GR6028664  
Qualified in New York County  
Commission Expires August 2, 2001

EXHIBIT A

PATENTS

NONE

TRADEMARKS

<u>Trademark</u>	<u>Federal Registration No.</u>	<u>Registration Date</u>
National Home Center	1,519,404 (Principal Register)	1/3/89
National Home Center	1,428,015 (Supplemental Register)	2/3/87

TRADEMARK APPLICATIONS

NONE