

02/21/2001 14:48 FAX 703 308 7124

USPTO ASSIGNMENT DIV.

001/018

FORM PTO-1618A
Expires 06/30/99
OMB 0651-0027

02-27-2001

U.S. Department of Commerce
Patent and Trademark Office
TRADEMARK



101596520

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KMS
11-23-00

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 # 002050 Frame # 062

Conveyance Type

- Assignment License
 - Security Agreement Nunc Pro Tunc Assignment
 - Merger
 - Change of Name
 - Other To delete application no. 75/833,920 from the recorded document
- Effective Date
Month Day Year
12 14 99

Conveying Party

Mark if additional names of conveying parties attached

Name Carpetmax I.P., a Georgia Limited Partnership Execution Date
Month Day Year
12 14 99

Formerly of which The Maxxim Group, Inc., a Delaware corporation is the sole general partner

Individual General Partnership Limited Partnership Corporation Association

Other _____

Citizenship/State of Incorporation/Organization Georgia

Receiving Party

Mark if additional names of receiving parties attached

Name Flooring America Franchising, L.P., a Georgia limited partnership of

DBA/KA/TA which Flooring America, Inc., a Delaware corporation is the sole

Composed of general partner

Address (line 1) 210 TownPark Drive

Address (line 2) _____

Address (line 3) Kennesaw Georgia 30144
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

02/11/2000 DBYRNE 00000175 75833920
01 FC:481 40.00 DP

Public burden reporting for this collection of information is estimated to average approximately 20 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 (0651-0127), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practices. 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

FORM PTO-1615B
EFFECTIVE 06/20/99
PH: 800-451-7217

Page 2

U.S. Department of Commerce
Patent and Trademark Office
TRADEMARK

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" value="* 1903215"/>	<input type="text"/>
<input type="text"/>	<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): \$

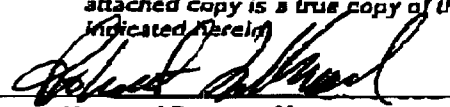
Method of Payment: Enclosed Deposit Account

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.



Name of Person Signing Signature Date Signed

*Application Serial No. 75/833,920 was erroneously included on the original schedule and should be removed from the recorded document

02/21/2001 14:50 FAX 703 308 7124

USPTO ASSIGNMENT DIV.

003/018

FORM PTO-1618.A
Expires 06/30/99
Other Part 1.1000

04-14-2000

U.S. Department of Commerce
Patent and Trademark Office
TRADEMARK

U.S. PATENT AND TRADEMARK OFFICE



03-06-2000

101320430

RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

U.S. Patent & TM Office Mail Report (DL #1)

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
01 01 2000

Conveying Party

Mark if additional names of conveying parties attached

Execution Date
Month Day Year
12 14 99

Name Carpetmax L.P., a Georgia Limited Partnership

Formerly of which The Maxia Group, Inc., a Delaware corporation is the sole general partner

- Individual General Partnership Limited Partnership Corporation Association
- Other _____
- Citizenship/State of Incorporation/Organization Georgia

Receiving Party

Mark if additional names of receiving parties attached

Name Flooring America Franchising, L.P., a Georgia limited partnership of

DBA/AKATA which Flooring America, Inc., a Delaware corporation is the sole

Composed of general partner

Address (line 1) 210 TownPark Drive

Address (line 2) _____

Address (line 3) Kennesaw

City

GA

State/Country

30144

Zip Code

- Individual General Partnership Limited Partnership Corporation Association
- Other _____
- Citizenship/State of Incorporation/Organization Georgia

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)

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04/14/2000 BNGUYEN 00000025 1983215

01 FC:481
02 FC:482

(40.00 DP)
(675.00 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 (04-1082), Washington, D.C. 20503. See our Workman Collection Budget Package 04-1082, 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

FORM PTO-1618B
Expires 06/30/99
01-9987-002

Page 2

U.S. Department of Commerce
Patent and Trademark Office
TRADEMARK

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: 404-815-3500

Name: Robert H. G. Lockwood

Address (line 1): Smith, Gambrell & Russell, LLP

Address (line 2): Suite 3100, Promenade II

Address (line 3): 1230 Peachtree Street, N.E.

Address (line 4): Atlanta, GA 30309-3592

Pages

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

4

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)

*See attached schedule		*See attached schedule	

Number of Properties

Enter the total number of properties involved.

28

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$ 715.00

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:

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.

Robert H. G. Lockwood

3/8/00

Name of Person Signing

Signature

Date Signed

02/21/2001 14:51 FAX 703 308 7124

USPTO ASSIGNMENT DIV.

005/018

**SCHEDULE OF TRADEMARKS TO CHANGE NAME OF
CARPETMAX, L.P. TO FLOORING AMERICA FRANCHISING, L.P.**

MARK	REGISTRATION NO./ APPLICATION NO.	REGISTRATION DATE/ APPLICATION DATE
CARPETTIME	1,903,215	7/4/95
E-DECOR	75/699,867	5/4/99
E-DECOR.COM	75/699,868	5/4/99
FLOORING AMERICA AND DESIGN	75/731,927	6/18/99
FOOTPRINT FIGHTERS	1,405,943	8/19/86
CARPETMAX SATELLITE NETWORK AND DESIGN	2,198,357	10/20/98
MAXCARE PROFESSIONAL CLEANING SYSTEMS MAX & DESIGN	2,192,827	9/29/98
MAXCARE	2,192,828	9/29/98
CARISSELLE BY RAINY LAWRENCE & DESIGN	2,265,736	7/27/99
MAXCARE	75/477,167	4/30/98
MAXCARE PROFESSIONAL CLEANING SYSTEMS & DESIGN	75/477,166	4/30/98
CARISSELLE AND DESIGN	75/585,809	11/10/98
THE DECOR EXCHANGE	75/666,814	3/24/99
FLOORING AMERICA	75/693,544	4/28/99

1

LIT642382.1

MARK	REGISTRATION NO./ APPLICATION NO.	REGISTRATION DATE/ APPLICATION DATE
FLOORING AMERICA AND DESIGN (HORIZONTAL LOGO)	75/731,928	6/18/99
EVERYTHING DECOR.COM (STYLIZED)	75/769,527	8/6/99
EVERYTHING DECOR.NE TWORK	75/833,920	10/29/99
CARPETMAX - THE NATIONAL CARPET EXCHANGE	1,616,209	10/2/90
CARPET MAX	1,583,764	2/20/90
MAKING A WORLD OF DIFFERENCE	1,843,344	7/5/94
MAKING A WORLD OF DIFFERENCE	1,863,792	11/22/94
CARPETMAX MAKING A WORLD OF DIFFERENCE AND DESIGN	1,873,957	1/17/95
CARPETMAX MAKING A WORLD OF DIFFERENCE AND DESIGN	1,862,102	11/8/94
CARPETMAX	1,859,007	10/18/94
CARPETMAX	1,843,048	7/5/94
CARPET MAX (STYLIZED)	2,123,486	12/23/97
CARPETMAX (STYLIZED)	2,121,428	12/16/97
CARPETMAX FLOORING IDEA GALLERY AND DESIGN	2,168,454	6/23/98

Delete
from
reconciliation

02/21/2001 14:52 FAX 703 308 7124

USPTO ASSIGNMENT DIV.

007/018

Secretary of State

Corporations Division

315 West Tower

#2 Martin Luther King, Jr. Dr.

Atlanta, Georgia 30334-1530

DOCKET NUMBER : K93631149
CONTROL NUMBER: K622451
EFFECTIVE DATE: 01/01/2000
REFERENCE : 0077
PRINT DATE : 01/03/2000
FORM NUMBER : 646

SMITH, GAMBRELL & RUSSELL
LUCY KIMSEY
1230 PEACHTREE ST., STE. 3100
ATLANTA, GA 30309

CERTIFICATE OF NAME CHANGE AMENDMENT

I, Cathy Cox, the Secretary of State of the State of Georgia, do hereby certify under the seal of my office that the certificate of limited partnership of

CARPETMAX, L.P.
A DOMESTIC LIMITED PARTNERSHIP

has been amended and the limited partnership name changed to

FLOORING AMERICA FRANCHISING, L.P.

by the filing of a certificate of amendment in the Office of the Secretary of State and by the paying of fees as required by Title 14 of the Official Code of Georgia Annotated. Attached hereto is a true and correct copy of said certificate of amendment.

WITNESS my hand and official seal in the City of Atlanta and the State of Georgia on the date set forth above.

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50



Cathy Cox
Secretary of State

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USPTO ASSIGNMENT DIV.

008/018

State of Delaware

PAGE 1

Office of the Secretary of State

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "THE MAXIM GROUP, INC.", CHANGING ITS NAME FROM "THE MAXIM GROUP, INC." TO "FLOORING AMERICA, INC.", FILED IN THIS OFFICE ON THE TWENTY-EIGHTH DAY OF DECEMBER, A.D. 1999, AT 3 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF AMENDMENT IS THE FIRST DAY OF JANUARY, A.D. 2000.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



Edward J. Freel

Edward J. Freel, Secretary of State

2345578 8100

991565509

AUTHENTICATION: 0169651

DATE: 12-29-99

**CERTIFICATE OF AMENDMENT TO
CERTIFICATE OF LIMITED PARTNERSHIP
OF
CARPETMAX, L.P.**

The undersigned, The Maxim Group, Inc., being the sole General Partner of Carpetmax, L.P. (the "Partnership"), a Georgia limited partnership, desiring to amend the Certificate of Limited Partnership of the Partnership, does hereby certifies the following:

1. The name of the Partnership is Carpetmax, L.P. (the "Partnership").
2. The Certificate of Limited Partnership of the Partnership (the "Certificate") was filed with the office of the Secretary of State of Georgia on July 17, 1996.
3. The Certificate is hereby amended by deleting Article I thereof and substituting therefor the following Article I:

"ARTICLE I

NAME

The name of the Partnership shall be Flooring America Franchising, L.P."

4. The amendment shall be effective as of 12:01 a.m. on January 1, 2000.

IN WITNESS WHEREOF, the undersigned General Partner has executed this Certificate of Amendment to Certificate of Limited Partnership this 16th day of December, 1999.

THE MAXIM GROUP, INC.

By: Thomas P. Leahy
Thomas P. Leahy
Executive Vice President

160714 10 11 99
SECRETARY OF STATE

**CERTIFICATE OF AMENDMENT
OF THE
CERTIFICATE OF INCORPORATION
OF
THE MAXIM GROUP, INC.**

(Pursuant to Section 242 of the General Corporation Law of the State of Delaware)

The undersigned, A. J. Nassar, President of The Maxim Group, Inc., a corporation organized and existing under the laws of the State of Delaware, hereby certifies as follows:

- i. The Certificate of Incorporation is amended to change the name of the Corporation to FLOORING AMERICA, INC. To effect such change, the First Article shall be deleted in its entirety, and the following text shall be substituted therefor:

"I.

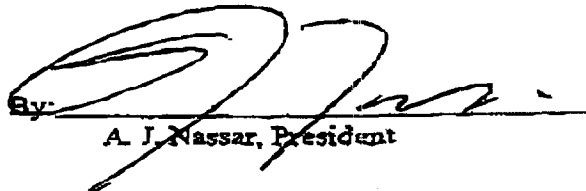
The name of the Corporation is Flooring America, Inc."

- ii. This amendment to the Certificate of Incorporation has been duly adopted in accordance with the provisions of Section 242 of the Delaware General Corporation Law. The holders of a majority of the outstanding stock of the Corporation entitled to vote thereon voted in favor of the amendment at a meeting held on December 14, 1999, duly called in accordance with the provisions of Section 222(a) of the Delaware General Corporation Law, at which meeting the number of shares required by statute were voted in favor of this amendment.

iii. This amendment shall be effective as of 12:01 a.m. on January 1, 2000.

IN WITNESS WHEREOF, the undersigned has signed this Certificate of Amendment on this 14th day of December, 1999.

THE MAXIM GROUP, INC.

By: 
A. J. Nassar, President