

01-03-2001



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MB  
12-12-00

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 # 1669 Frame # 0615

Conveyance Type

Assignment  License

Security Agreement  Nunc Pro Tunc Assignment

Merger  
Effective Date  
Month Day Year  
09 / 30 / 1997

Change of Name

Other  
Document previously recorded on Reel 1669/Frame 0615 contained an error in property number 1,980,670. Document re-recorded to correct error on stated reel.

Conveying Party

Mark if additional names of conveying parties attached

Name HFCG CORP. Execution Date  
Month Day Year  
09 / 30 / 1997

Formerly \_\_\_\_\_

Individual  General Partnership  Limited Partnership  Corporation  Association

Other \_\_\_\_\_

Citizenship/State of Incorporation/Organization DELAWARE

Receiving Party

Mark if additional names of conveying parties attached

Name HARTCO HARDWOOD FLOORING, L.P.

DBA/AKA/TA \_\_\_\_\_

Composed of \_\_\_\_\_

Address (line 1) 418 SOUTH MAIN

Address (line 2) \_\_\_\_\_

Address (line 3) ONEIDA TN 37841  
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 DELAWARE

FOR OFFICE USE ONLY

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

KRISTY BULLARD MOTHERSBAUGH  
Name of Person Signing

*Kristy Bullard Mothersbaugh*  
Signature

12-11-00  
Date Signed

**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.

KRISTY BULLARD MOTHERSBAUGH  
Name of Person Signing

  
Signature

12-11-00  
Date Signed

EXHIBIT A TO TRADEMARK ASSIGNMENT AGREEMENT

HFCG CORP. UNITED STATES TRADEMARKS

MARK (INT'L CLASS)	GOODS/SERVICES	SERIAL/REG. NUMBER	FILE DATE
BEAUMONT (CL.19)	WOOD FLOORING	74/497,846	3/7/94 <sup>1</sup>
BURNSIDE PLANK (CL.19)	WOOD FLOORING	1,684,453	6/3/91
EMBASSY (CL.19)	WOOD FLOORING	74/577,354	9/23/94
FOAM-TILE (CL.19)	CUSHIONED, WOOD PARQUET BLOCK PANELS AND ASSEMBLIES	892,676	6/24/69
HARTCO (CL.1)	ADHESIVE-NAMELY, MASTIC FOR SECURING WOOD FLOORING ELEMENTS TO A BASE	732,899	2/6/61
HARTCO (CL.3)	WOOD FLOOR CARE PRODUCTS, NAMELY, CLEANERS, WAXES AND POLISHES	1,232,441	4/29/81
HARTCO (CL.19)	WOOD TILE FLOORING	664,613	10/14/57
HARTCO & DESIGN (CL.1,19)	FLOOR TILE MASTIC (CL.1); FLOOR TILE (CL.19)	1,104,114	1/27/78
HARTCO AMERICAN OAK (CL.19)	WOOD PLANK FLOORING	1,979,384	1/18/95
HARTCO AMERICAN PRIDE (CL.19)	WOOD FLOORING	1,949,519	2/7/94
HARTCO COUNTRYSIDE (CL.19)	WOOD PLANK FLOORING	74/622,707	1/18/95

<sup>1</sup> TTAB affirmed Examiner's Refusal to Register.

MARK (INT'L CLASS)	GOODS/SERVICES	SERIAL/REG. NUMBER	FILE DATE
HARTCO CUSTOM HOME (CL.19)	WOOD PARQUET & WOOD PLANK FLOORING	74/688,386	6/8/95
HARTCO HOME CHOICE (CL.19)	WOOD PARQUET & WOOD PLANK FLOORING	2,046,533	6/8/95
HARTCO ONEIDA STRIP (CL.19)	WOOD PARQUET & WOOD PLANK FLOORING	75/064,424	2/20/96
HARTCO U.S. OAK (CL.19)	WOOD PARQUET & WOOD PLANK FLOORING	1,980,670 <i>1,980,679</i>	1/18/95
HARTCO WOOD FLOOR-TILE (CL.19)	FLOOR TILE	1,050,679	9/29/75
HARTCO WOOD FOAM-TILE (CL.19)	FLOOR TILE	1,050,680	9/2/75
HARTCO WOOD FOAM-TILE & DESIGN (CL.19)	FLOOR TILE	1,049,588	10/20/75
HARTWOOD (CL.19)	HARDWOOD FLOORING	1,710,769	2/8/91
IMPERIAL PLANK (CL.19)	WOOD FLOORING	1,643,632	6/4/90
KINGSFORD STRIP (CL.19)	HARDWOOD FLOORING	1,918,851	7/15/91
PAR-K-STIK (CL.27)	ADHESIVE MATERIAL APPLIED TO FLOOR COVERINGS FOR ATTACHMENT TO FLOORING SURFACES	961,922	5/1/72
PATTERN PLUS (CL.19)	HARDWOOD FLOORING	1,301,704	10/20/83
PROVINCIAL STRIP (CL.19)	WOOD FLOORING	74/504,515	3/24/94

2 Abandonment of Appeal Filed 2/10/97.

83411 0948Z CORP 165602.1

EXHIBIT A TO TRADEMARK ASSIGNMENT  
PAGE 2 of 5

MARK (INT'L CLASS)	GOODS/SERVICES	SERIAL/REG. NUMBER	FILE DATE
SOMERSET PLANK (CL. 19)	HARDWOOD FLOORING	1,768,077	9/17/90

83411 09442 CORP 165602.1

EXHIBIT A TO TRADEMARK ASSIGNMENT  
PAGE 3 of 5

Attachment A to Trademark Recordation Form PTO-1994

Conveying Party: HFCG Corp.  
 Receiving Party: Hartco Hardwood Flooring, L.P.

MARK (INT'L CLASS)	GOODS/SERVICES	SERIAL/REG. NUMBER	FILE DATE
BURNSIDE PLANK (CL.19)	WOOD FLOORING	1,684,453	6/3/91
EMBASSY (CL.19)	WOOD FLOORING	74/577,354	9/23/94
FOAM-TILE (CL.19)	CUSHIONED, WOOD PARQUET BLOCK PANELS AND ASSEMBLIES	892,676	6/24/69
HARTCO (CL.1)	ADHESIVE-NAMELY, MASTIC FOR SECURING WOOD FLOORING ELEMENTS TO A BASE	732,899	2/6/61
HARTCO (CL.3)	WOOD FLOOR CARE PRODUCTS, NAMELY, CLEANERS, WAXES AND POLISHES	1,232,441	4/29/81
HARTCO (CL.19)	WOOD TILE FLOORING	664,613	10/14/57
HARTCO & DESIGN (CL.1,19)	FLOOR TILE MASTIC (CL.1); FLOOR TILE (CL.19)	1,104,114	1/27/78
HARTCO AMERICAN OAK (CL.19)	WOOD PLANK FLOORING	1,979,384	1/18/95
HARTCO AMERICAN PRIDE (CL.19)	WOOD FLOORING	1,949,519	2/7/94
HARTCO COUNTRYSIDE (CL.19)	WOOD PLANK FLOORING	74/622,707	1/18/95
HARTCO CUSTOM HOME (CL.19)	WOOD PARQUET & WOOD PLANK FLOORING	74/688,386	6/8/95
HARTCO HOME CHOICE (CL.19)	WOOD PARQUET & WOOD PLANK FLOORING	2,046,533	6/8/95
HARTCO ONEIDA STRIP (CL.19)	WOOD PARQUET & WOOD PLANK FLOORING	75/064,424	2/20/96
HARTCO U.S. OAK (CL.19) ✓	WOOD PARQUET & WOOD PLANK FLOORING ✓ <i>from 12/11/00</i>	<del>1,980,670</del> <i>1,980,679</i>	1/18/95
HARTCO WOOD FLOOR-TILE (CL.19)	FLOOR TILE	1,050,679	9/29/75

MARK (INT'L CLASS)	GOODS/SERVICES	SERIAL/REG. NUMBER	FILE DATE
HARTCO WOOD FOAM-TILE (CL.19)	FLOOR TILE	1,050,680	9/2/75
HARTGO WOOD FOAM-TILE & DESIGN (CL.19)	FLOOR TILE	1,049,588	10/20/75
HARTWOOD (CL.19)	HARDWOOD FLOORING	1,710,769	2/8/91
IMPERIAL PLANK (CL.19)	WOOD FLOORING	1,643,632	6/4/90
KINGSFORD STRIP (CL.19)	HARDWOOD FLOORING	1,918,851	7/15/91
PAR-K-STIK (CL.27)	ADHESIVE MATERIAL APPLIED TO FLOOR COVERINGS FOR ATTACHMENT TO FLOORING SURFACES	961,922	5/1/72
PATTERN PLUS (CL.19)	HARDWOOD FLOORING	1,301,704	10/20/83
SOMERSET PLANK (CL.19)	HARDWOOD FLOORING	1,768,077	9/17/90

TRADEMARK  
REEL: 002205 FRAME: 0199

TRADEMARK ASSIGNMENT AGREEMENT

This Trademark Assignment Agreement (this "Agreement"), effective as of September 30, 1997, (the "Effective Date") is made by and between HFCG Corp., a Delaware corporation ("Assignor"), and Hartco Hardwood Flooring, L.P., a Delaware limited partnership ("Assignee").

WITNESSETH:

WHEREAS, Assignor has adopted and used and in certain cases registered or applied for registration of the trademarks listed on Exhibit A to this Agreement in connection with the goods listed thereon (the "Marks");

WHEREAS, Assignor has agreed to assign and Assignee has agreed to acquire all of Assignor's right, title, and interest in and to the Marks, both registered and common law, the goodwill of the business symbolized thereby, and the right to recover damages and profits for past infringement thereof; and


NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Assignor hereby assigns, transfers and conveys unto Assignee all of Assignor's right, title and interest in and to the Marks, both registered and common law, the goodwill of the business symbolized thereby, and the right to recover damages and profits for past infringement thereof.
2. This Agreement shall be governed by and construed in accordance with the laws of the United States of America and of the State of Texas.

IN WITNESS WHEREOF, Assignor has caused its duly authorized representative to execute this Assignment effective as of the date first above written.

HFCG CORP.

By:

  
Name: E. DUANE PLASTER  
Title: VICE PRESIDENT

Corrected  
copy

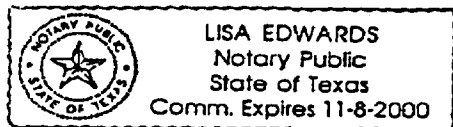


STATE OF TEXAS  
COUNTY OF DALLAS

§  
§  
§

On this day, before me, the undersigned, a Notary Public, duly commissioned, qualified and acting, the within named E. DWAIN PLASTER, who stated that he was the VICE PRESIDENT of HFCEG Corp., a Delaware corporation, and was duly authorized in his capacity to execute the foregoing instrument for and in the name and behalf of said corporation, and further stated that and acknowledged that he had so signed, executed and delivered said foregoing instrument for consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal on this 30th day of September, 1997.



[Handwritten Signature]  
Notary Public

My Commission Expires:

11-8-2000

Attachment A to Trademark Recordation Form PTO-1994

Conveying Party: HFCG Corp.  
 Receiving Party: Hartco Hardwood Flooring, L.P.

MARK (INT'L CLASS)	GOODS/SERVICES	SERIAL/REG. NUMBER	FILE DATE
BURNSIDE PLANK (CL.19)	WOOD FLOORING	1,684,453	6/3/91
EMBASSY (CL.19)	WOOD FLOORING	74/577,354	9/23/94
FOAM-TILE (CL.19)	CUSHIONED, WOOD PARQUET BLOCK PANELS AND ASSEMBLIES	892,676	6/24/69
HARTCO (CL.1)	ADHESIVE-NAMELY, MASTIC FOR SECURING WOOD FLOORING ELEMENTS TO A BASE	732,899	2/6/61
HARTCO (CL.3)	WOOD FLOOR CARE PRODUCTS, NAMELY, CLEANERS, WAXES AND POLISHES	1,232,441	4/29/81
HARTCO (CL.19)	WOOD TILE FLOORING	664,613	10/14/57
HARTCO & DESIGN (CL.1,19)	FLOOR TILE MASTIC (CL.1); FLOOR TILE (CL.19)	1,104,114	1/27/78
HARTCO AMERICAN OAK (CL.19)	WOOD PLANK FLOORING	1,979,384	1/18/95
HARTCO AMERICAN PRIDE (CL.19)	WOOD FLOORING	1,949,519	2/7/94
HARTCO COUNTRYSIDE (CL.19)	WOOD PLANK FLOORING	74/622,707	1/18/95
HARTCO CUSTOM HOME (CL.19)	WOOD PARQUET & WOOD PLANK FLOORING	74/688,386	6/8/95
HARTCO HOME CHOICE (CL.19)	WOOD PARQUET & WOOD PLANK FLOORING	2,046,533	6/8/95
HARTCO ONEIDA STRIP (CL.19)	WOOD PARQUET & WOOD PLANK FLOORING	75/064,424	2/20/96
HARTCO U.S. OAK (CL.19)	WOOD PARQUET & WOOD PLANK FLOORING	1,980,670	1/18/95
HARTCO WOOD FLOOR-TILE (CL.19)	FLOOR TILE	1,050,679	9/29/75

MARK (INT'L CLASS)	GOODS/SERVICES	SERIAL/REG. NUMBER	FILE DATE
HARTCO WOOD FOAM-TILE (CL.19)	FLOOR TILE	1,050,680	9/2/75
HARTGO WOOD FOAM-TILE & DESIGN (CL.19)	FLOOR TILE	1,049,588	10/20/75
HARTWOOD (CL.19)	HARDWOOD FLOORING	1,710,769	2/8/91
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KINGSFORD STRIP (CL.19)	HARDWOOD FLOORING	1,918,851	7/15/91
PAR-K-STIK (CL.27)	ADHESIVE MATERIAL APPLIED TO FLOOR COVERINGS FOR ATTACHMENT TO FLOORING SURFACES	961,922	5/1/72
PATTERN PLUS (CL.19)	HARDWOOD FLOORING	1,301,704	10/20/83
SOMERSET PLANK (CL.19)	HARDWOOD FLOORING	1,768,077	9/17/90

TRADEMARK  
REEL: 002205 FRAME: 0203

TRADEMARK ASSIGNMENT AGREEMENT

This Trademark Assignment Agreement (this "Agreement"), effective as of September 30, 1997, (the "Effective Date") is made by and between HFCG Corp., a Delaware corporation ("Assignor"), and Hartco Hardwood Flooring, L.P., a Delaware limited partnership ("Assignee").

WITNESETH:

WHEREAS, Assignor has adopted and used and in certain cases registered or applied for registration of the trademarks listed on Exhibit A to this Agreement in connection with the goods listed thereon (the "Marks");

WHEREAS, Assignor has agreed to assign and Assignee has agreed to acquire all of Assignor's right, title, and interest in and to the Marks, both registered and common law, the goodwill of the business symbolized thereby, and the right to recover damages and profits for past infringement thereof; and

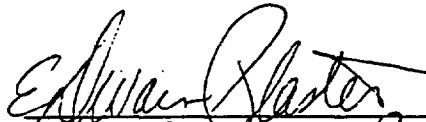
NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Assignor hereby assigns, transfers and conveys unto Assignee all of Assignor's right, title and interest in and to the Marks, both registered and common law, the goodwill of the business symbolized thereby, and the right to recover damages and profits for past infringement thereof.
2. This Agreement shall be governed by and construed in accordance with the laws of the United States of America and of the State of Texas.

IN WITNESS WHEREOF, Assignor has caused its duly authorized representative to execute this Assignment effective as of the date first above written.

HFCG CORP.

By:

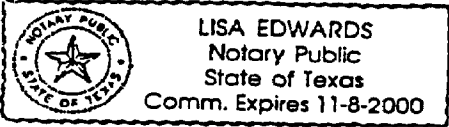
  
Name: E. DUANE PLASTER  
Title: VICE PRESIDENT

STATE OF TEXAS  
COUNTY OF DALLAS

§  
§  
§

On this day, before me, the undersigned, a Notary Public, duly commissioned, qualified and acting, the within named E. DWAIN PLASTER, who stated that he was the VICE PRESIDENT of HFCG Corp., a Delaware corporation, and was duly authorized in his capacity to execute the foregoing instrument for and in the name and behalf of said corporation, and further stated that and acknowledged that he had so signed, executed and delivered said foregoing instrument for consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal on this 30th day of September, 1997.



[Handwritten Signature]  
Notary Public

My Commission Expires:  
11-8-2000

EXHIBIT A TO TRADEMARK ASSIGNMENT AGREEMENT

HFCG CORP. UNITED STATES TRADEMARKS

MARK (INT'L CLASS)	GOODS/SERVICES	SERIAL/REG. NUMBER	FILE DATE
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HARTCO (CL.3)	WOOD FLOOR CARE PRODUCTS, NAMELY, CLEANERS, WAXES AND POLISHES	1,232,441	4/29/81
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HARTCO & DESIGN (CL.1,19)	FLOOR TILE MASTIC (CL.1); FLOOR TILE (CL.19)	1,104,114	1/27/78
HARTCO AMERICAN OAK (CL.19)	WOOD PLANK FLOORING	1,979,384	1/18/95
HARTCO AMERICAN PRIDE (CL.19)	WOOD FLOORING	1,949,519	2/7/94
HARTCO COUNTRYSIDE (CL.19)	WOOD PLANK FLOORING	74/622,707	1/18/95

TTAB affirmed Examiner's Refusal to Register.

83411 09482 CORP 163602.1

EXHIBIT A TO TRADEMARK ASSIGNMENT  
PAGE 1 of 5

MARK (INT'L CLASS)	GOODS/SERVICES	SERIAL/REG. NUMBER	FILE DATE
HARTCO CUSTOM HOME (CL.19)	WOOD PARQUET & WOOD PLANK FLOORING	74/688,386	6/8/95
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KINGSFORD STRIP (CL.19)	HARDWOOD FLOORING	1,918,851	7/15/91
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PROVINCIAL STRIP (CL.19)	WOOD FLOORING	74/504,515	3/24/94 <sup>2</sup>

<sup>2</sup> Abandonment of Appeal Filed 2/10/97.

83411 09482 CORP 165602.1

EXHIBIT A TO TRADEMARK ASSIGNMENT  
PAGE 2 of 3

MARK (INT'L CLASS)	GOODS/SERVICES	SERIAL/REG. NUMBER	FILE DATE
SOMERSET PLANK (CL.19)	HARDWOOD FLOORING	1,768,077	9/17/90

83411 09482 CORP 165602.1

EXHIBIT A TO TRADEMARK ASSIGNMENT  
PAGE 3 of 5