

10-04-2002



To the Honorable Commissioner of Patents

102241752

attached original documents or copy thereof.

1. Name of conveying party(ies):
SWEDE, INC.

10-1-02

2. Name and address of receiving party(ies):
Name: WESTMINSTER CERAMICS, LLC
Internal Address:

Street Address: 4660 Hammermill Road
City, State & Zip: Tucker, Georgia 30084

Additional name(s) of conveying party(ies) attached? **NO**

Additional name(s) of conveying party(ies) attached? **NO**

3. Nature of conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other:

Individuals
 Association
 General Partnership
 Limited Partnership
 Corporation - State Georgia
 Other

If assignee is not domiciled in the U.S., a domestic representative designation is attached: yes no
(Designations must be a separate document from assignment)
Additional name(s) & address(es) attached? yes no

Execution Date: 09/27/2002

4. Application Number(s) or registration Numbers(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

2,320,682 (registered February 22, 2000);

2,295,708 (registered November 30, 1999)

Additional numbers attached? **NO**

Additional numbers attached? **NO**

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **Arthur A. Gardner**

Address: GARDNER GROFF & MEHRMAN, P.C.
Paper Mill Village, Bldg. 23
600 Village Trace, Suite 300
Marietta, Georgia 30067

6. Total number of applications and registrations involved: **2**

7. Total fee (37 CFR 3.41): **\$65.00**

Enclosed
 Authorized to be charge any fees or credit any overpayments to deposit account number 501513.

10/03/2002 DBYRNE 00000072 2320682

01 FC:481 40.00 OP
02 FC:482 25.00 OP

DO NOT USE THIS SPACE

8. Statement and signature re.

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.

I certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents & Trademarks, Washington, DC 20231, on the date given below.

Arthur A. Gardner

September 27, 2002
Date

Attorney Docket No(s): 8S14.3-010; 8S14.3-020

Total number of pages including cover sheet: 3

OFFICE OF THE COMMISSIONER OF PATENTS AND TRADEMARKS
RECORDS SECTION
2002 OCT -1 AM 8:57
FINANCE SECTION

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks
Box Assignments
Washington, DC 20231

ASSIGNMENT OF TRADEMARKS

WHEREAS, Swede, Inc. (hereinafter referred to as ASSIGNOR), a Corporation of the State of Georgia, having a principle place of business at 4660 Hammermill Road, Tucker, Georgia 30084, has adopted, used, is using and is the owner of the following trademarks now registered in the United States Patent and Trademark Office:

| <i>Trademark</i> | <i>Registration No.</i> | <i>Date of Registration</i> |
|--------------------------|-------------------------|-----------------------------|
| BANANAPPEAL | 2,320,682 | February 22, 2000 |
| BANANAPPEAL (and DESIGN) | 2,295,708 | November 30, 1999; |

WHEREAS, WESTMINSTER CERAMICS, LLC (hereinafter referred to as ASSIGNEE), a corporation of the State of Georgia, having a principal place of business at 4660 Hammermill Road, Tucker, Georgia 30084 is desirous of acquiring said registered trademarks, and the portion of the business of the Assignor to which the mark pertains;

NOW THEREFORE, for \$10 and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, ASSIGNOR does hereby assign, sell, and transfer unto said ASSIGNEE all right, title and interest in and to said trademarks, including the right to sue for damages and other remedies in respect of any infringement of the mark that may have occurred before the date of this assignment, together with the goodwill of the business symbolized by said trademarks and registrations thereof.

IN WITNESS WHEREOF, ASSIGNOR has caused this instrument to be executed by its duly authorized officer on this 16th day of September, 2002.

SWEDE, INC.

By:

Donna K. Skinner
Donna Skinner
President

STATE OF FLORIDA

Before me, a Notary Public in and for the State of Florida, on this 16th day of September, 2002, personally appeared Donna Skinner, President of Swede, Inc., who being duly sworn, signed and acknowledged the foregoing Assignment as her free act and deed.

(Seal)

Carol Harder
NOTARY PUBLIC
My Commission Expires:

