

12-09-2004

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office



12-8-04

**RECORDATION  
TRADEMARK** 102897607

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

**1. Name of conveying party(ies)/Execution Date(s)**

**Furniture Acquisition Corporation**

- Individual(s)       Association
- General Partnership       Limited Partnership
- Corporation-State **Delaware**
- Other \_\_\_\_\_

Citizenship (see guidelines) \_\_\_\_\_

Execution Date(s) April 4, 2003

Additional names of conveying parties attached?  Yes  No

**2. Name and address of receiving party(ies)**

Additional names, addresses, or citizenship attached?  Yes  No

Name: The Mitchell Gold Company

Internal \_\_\_\_\_

Address: \_\_\_\_\_

Street Address: 135 One Comfortable Place

City: Taylorsville

State: North Carolina

Country: United States

Association      Citizenship \_\_\_\_\_

General Partnership      Citizenship \_\_\_\_\_

Limited Partnership      Citizenship \_\_\_\_\_

Corporation      Citizenship North Carolina

Other \_\_\_\_\_      Citizenship \_\_\_\_\_

If assignee is not domiciled in the United States, a domestic representative designation is attached:  Yes  No  
(Designations must be a separate document from assignment)

**3. Nature of conveyance:**

- Assignment       Merger
- Security Agreement       Change of Name
- Other \_\_\_\_\_

**4. Application number(s) or registration number(s) and identification or description of Trademark.**

A. Trademark Application No.(s)  
75/767273

B. Trademark Registration No.(s) 2353811

Additional sheet(s) attached?  Yes  No

**C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):**

MITCHELL GOLD

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

Name: Janet P. Peyton

Internal Address: McGuireWoods LLP

Street Address: 901 East Cary Street, One James Center

City: Richmond

State: Virginia      Zip: 23219

Phone Number: 804-775-1166

Fax Number: 804-698-2230

Email Address: jpeyton@mcguirewoods.com

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

1

**7. Total fee (37 CFR 2.6(b)(6) & 3.41)**

- Authorized to be charged by credit card
- Authorized to be charged to deposit account
- Enclosed \$40.00

**8. Payment Information:**

- a. Credit Card      Last 4 Numbers \_\_\_\_\_  
Expiration Date \_\_\_\_\_
- b. Deposit Account Number \_\_\_\_\_  
Authorized User Name \_\_\_\_\_

2004 DEC -8 PM 2:49  
OPR/FINANCE

**9. Signature:**

Signature

December 7, 2004

Date

Janet P. Peyton, Esq.

Name of Person Signing

Total number of pages including cover sheet, attachments, and document:

4

Documents to be recorded (including cover sheet) should be faxed to (703) 306-5995, or mailed to:

Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

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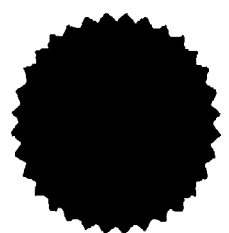
# Delaware

*The First State*

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER, WHICH MERGES:

"FURNITURE ACQUISITION CORP.", A DELAWARE CORPORATION, WITH AND INTO "THE MITCHELL GOLD CO." UNDER THE NAME OF "THE MITCHELL GOLD CO.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF NORTH CAROLINA, AS RECEIVED AND FILED IN THIS OFFICE THE FOURTH DAY OF APRIL, A.D. 2003, AT 4:30 O'CLOCK P.M.

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



*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

3644511 8100M

AUTHENTICATION: 2355729



# NORTH CAROLINA

## Department of The Secretary of State

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To all whom these presents shall come, Greetings:

I, ELAINE F. MARSHALL, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached to be a true copy of

ARTICLES OF MERGER

OF

FURNITURE ACQUISITION CORP.

INTO

THE MITCHELL GOLD CO.

the original of which was filed in this office on the 4th day of April, 2003.



IN WITNESS WHEREOF, I have hereunto  
set my hand and affixed my official seal at the  
City of Raleigh, this 4th day of April, 2003

*Elaine F. Marshall*

Secretary of State

Document Id: 230979058

SOSID: 0253599  
Date Filed: 4/4/2003 4:47:00 PM  
Elaine F. Marshall  
North Carolina Secretary of State  
230919058

23 097 9058

State of North Carolina  
Department of the Secretary of State

ARTICLES OF MERGER  
FOREIGN AND DOMESTIC BUSINESS CORPORATION

Pursuant to Sections 55-11-05 and 55-11-07 of the General Statutes of North Carolina, the undersigned corporations does hereby submit the following Articles of Merger as the surviving corporation in a merger between a domestic business corporation and one or more foreign business corporations.

- The name of the surviving corporation is THE MITCHELLGOLD CO., a corporation organized under the laws of North Carolina; the name of the merged corporation is FURNITURE ACQUISITION CORP., a corporation organized under the laws of Delaware.
- Attached is a copy of the Plan of Merger that was duly approved in the manner prescribed by law by each of the corporations participating in the merger.
- With respect to the surviving corporation (check either a or b, as applicable):
  - Shareholder approval was not required for the merger.
  - Shareholder approval was required for the merger, and the plan of merger was approved by the shareholders as required by Chapter 55 of the North Carolina General Statutes.
- With respect to the merged corporation (check either a or b, as applicable):
  - Shareholder approval was not required for the merger.
  - Shareholder approval was required for the merger, and the plan of merger was approved by the shareholders as required by Chapter 55 of the North Carolina General Statutes.
- The merger is permitted by the law of the state or country of incorporation or organization of each foreign entity which is a party.
- Each foreign entity which is party has complied or shall comply with the applicable laws of its state or country of incorporation or organization.
- (Complete only if applicable - see instructions.) The mailing address of the surviving foreign corporation is: \_\_\_\_\_ The surviving foreign corporation will file a statement of any subsequent change in its mailing address with the North Carolina Secretary of State.
- These articles will be effective upon filing, unless a delayed date and/or time is specified: \_\_\_\_\_  
This is the 4 day of April, 2003.

THE MITCHELL GOLD CO.

*Mitchell S. Gold*  
Signature  
MITCHELL S. Gold, PRESIDENT  
Type or Print Name and Title

Notes:

- Filing fee is \$50. This document must be filed with the Secretary of State.
- Certificate(s) of Merger must be registered pursuant to the requirements of N.C.G.S. Section 47-18.1

Form B-12

NYDCCS02/645470.1

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CT CORP

APR-04-2003 15:55