# **\$865.00** 2460323

Electronic Version v1.1 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL
EFFECTIVE DATE:	09/01/2006

#### **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Collins & Aikman Floorcoverings, Inc.		09/01/2006	CORPORATION: DELAWARE

### RECEIVING PARTY DATA

Name:	Tandus US, Inc.
Street Address:	311 Smith Industrial Boulevard
City:	Dalton
State/Country:	GEORGIA
Postal Code:	30721
Entity Type:	CORPORATION: DELAWARE

PROPERTY NUMBERS Total: 34

Property Type	Number	Word Mark
Registration Number:	2460323	ACCUWEAVE COLLECTION
Registration Number:	2764962	
Registration Number:	2602716	
Registration Number:	2589883	
Registration Number:	2670047	
Registration Number:	2640820	
Registration Number:	2536921	DYNEX
Registration Number:	2289432	DYNEX SD
Registration Number:	2296732	ER3
Serial Number:	78427061	ETHOS
Registration Number:	1355589	GUARDIAN
Registration Number:	2434041	MINING BUILDINGS FOR RESOURCES INSTEAD OF THE

TRADEMARK

REEL: 003440 FRAME: 0036

900064197

		EARTH
Registration Number:	2223798	PLEXUS
Registration Number:	2613713	PLEXUS IDEAS
Registration Number:	0879194	POWERBOND
Registration Number:	2218388	POWERBOND RS
Registration Number:	2290544	POWER-STOP
Registration Number:	2540943	PROTECTING OUR FUTURE BY RECLAIMING OUR PAST
Registration Number:	2624721	REPEAT
Registration Number:	2418384	SEE A VISION FOR A SUSTAINABLE FUTURE
Registration Number:	2510884	SHARED CIRCLE OF RESPONSIBILITY
Registration Number:	2190765	SOURCE ONE
Registration Number:	2983357	STRATATEC
Registration Number:	2440974	SYMTEX
Registration Number:	2383988	SYON-5
Registration Number:	2672859	TANDUS
Registration Number:	2693876	TANDUS
Registration Number:	2732737	TANDUS
Registration Number:	2832384	TANDUS
Registration Number:	2693987	TANDUS GROUP
Registration Number:	2660565	TANDUS GROUP
Registration Number:	2725292	TANDUS GROUP
Registration Number:	2727832	TANDUS GROUP
Registration Number:	2435377	TRIAD

#### **CORRESPONDENCE DATA**

Fax Number: (804)225-5406

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Phone: 804-775-4338

Email: mholloway@mcguirewoods.com

Correspondent Name: Melanie Holloway
Address Line 1: 901 East Cary Street

Address Line 4: Richmond, VIRGINIA 23219-4030

NAME OF SUBMITTER:	Melanie C. Holloway	
Signature:	/Melanie C. Holloway/	
Date:	12/07/2006	

TRADEMARK REEL: 003440 FRAME: 0037

Total Attachments: 4 source=trademark assignment agreement#page1.tif source=trademark assignment agreement#page2.tif

source=trademark assignment agreement#page3.tif source=trademark assignment agreement#page4.tif

**TRADEMARK REEL: 003440 FRAME: 0038** 

#### TRADEMARK ASSIGNMENT AGREEMENT

THIS TRADEMARK ASSIGNMENT AGREEMENT (this "Agreement") is made as of the 1st day of September, 2006, (the "Effective Date") by and between Collins & Aikman Floorcoverings, Inc. ("Assignor"), a corporation duly organized and existing under the laws of State of Delaware, and Tandus US, Inc., a corporation duly organized and existing under the laws of the State of Delaware ("Assignee").

#### **RECITALS**

Whereas Assignor desires to contribute, transfer, and assign all of its rights and interests, including without limitation common law rights, in and to the trademarks listed on Attachment A, attached hereto and incorporated by reference herein (the "Marks") and the registrations and pending applications for the Marks (the "Registrations"), together with the goodwill that Assignor has developed in such Marks (the "Goodwill"), to Assignee.

Whereas Assignee desires to acquire the Assigned Marks, the Registrations and the Goodwill.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor and Assignee agree as follows:

#### ASSIGNMENT OF MARKS

- 1.1. <u>Assignment</u>. In connection with the corporate and organizational business objectives of Assignor and Assignee, Assignor has agreed to and hereby assigns and transfers to Assignee and its successors and assigns Assignor's entire right, title and interest in and to the Marks, the Registrations, and the Goodwill, to be held and enjoyed by Assignee for its own use and benefit and for the use and benefit of its parents, subsidiaries, affiliates, successors, assigns, licensees and legal representatives, as such rights would have been held and enjoyed by Assignor had this Assignment not been made.
- 1.2. <u>Warranties</u>. The Marks are assigned hereunder "as is" without any warranties, express or implied.
- 1.3. <u>Further Materials or Documentation</u>. Assignor and Assignee each agree to execute any other documents or to provide any further materials or documentation necessary in order to fulfill the provisions of or the purpose of this Assignment or to substantiate either party's use and/or ownership of the Marks and the Goodwill.

TRADEMARK REEL: 003440 FRAME: 0039 1.4. <u>Binding Effect</u>. This Assignment is binding upon the parties and their respective heirs, successors, assigns, trustees, and representatives.

IN WITNESS WHEREOF, the parties have caused this Assignment and to be executed by their duly authorized officers or representatives as of the date first written above.

Collins & Aikman Floorcoverings, Inc.

By:

Name: Leonard F. Ferro

Title: Chief Financial Officer

Tandus US, Inc.

Name: Lee H. Schilling

Title: Senior Vice President

# ATTACHMENT A

# **Applications and Registrations**

ACCUWEAVE	US	75/756,886	2,389,688	9 /26/2000	REGISTERED
ACCUWEAVE COLLECTION	US	75/756,832	2,460,323	6 /12/2001	REGISTERED
C&A	CN	3475326			PENDING
C&A	CN	3065303	3065303	5 /14/2003	REGISTERED
C&A	HK	300172809	300172809	3 /6 /2004	REGISTERED
C&A	JР	113066/2001	4785323	7 /9 /2004	REGISTERED
C&A	MY	2002/00346			PENDING
C&A	MY	2002/00345			PENDING
C&A	SG	T02/00682E	T02/00682E	1 /14/2002	REGISTERED
C&A Design	TH	481720			PENDING
C&A Design	TH	481721	Bor19627	6 /12/2003	REGISTERED
Design of 4 Squares	US	78/565,692			ALLOWED
DESIGN of a Stylized "T"	US	76/238,170	2,764,962	9 /16/2003	REGISTERED
DESIGN of a Stylized "T"	US	76/238,160	2,602,716	7 /30/2002	REGISTERED
DESIGN of a Stylized "T"	US	76/239,153	2,589,883	7 /2 /2002	REGISTERED
DESIGN of a Stylized "T"	US	76/238,345	2,670,047	12/31/2002	REGISTERED
DESIGN of a Stylized "T"	US	76/239,150	2,640,820	10/22/2002	REGISTERED
DYNEX	US	75/377,693	2,536,921	2 /5 /2002	REGISTERED
DYNEX SD	US	75/377,692	2,289,432	10/26/1999	REGISTERED
ER3	CA	1050497	TMA554055	11/20/2001	REGISTERED
ER3	US	75/395,962	2,296,732	11/30/1999	REGISTERED
ETHOS	US	78/427,061			PENDING
GUARDIAN	US	73/500,200	1,355,589	8 /20/1985	REGISTERED
MINING BUILDINGS FOR	US	75/625,491	2,434,041	3 /6 /2001	REGISTERED
RESOURCES INSTEAD OF					
THE					
PLEXUS	US	75/327,328	2,223,798	2 /16/1999	REGISTERED
PLEXUS IDEAS	US	75/804,049	2,613,713	9 /3 /2002	REGISTERED
POWERBOND	US	72/320,244	879,194	10/21/1969	REGISTERED
POWERBOND RS	CA	861847	509546	3 /18/1999	REGISTERED
POWERBOND RS	GB	2148846	2148846	10/22/1997	REGISTERED
POWERBOND RS	US	75/328,520	2,218,388	1 /19/1999	REGISTERED
POWER-STOP	US	75/431,772	2,290,544	11/2 /1999	REGISTERED
PROTECTING OUR FUTURE	US	75/627,894	2,540,943	2 /19/2002	REGISTERED
BY RECLAIMING OUR PAST					
REPEAT	US	76/335,000	2,624,721	9 /24/2002	REGISTERED
SEE A VISION FOR A	US	75/700,898	2,418,384	1 /2 /2001	REGISTERED
SUSTAINABLE FUTURE			0.710.601	11/00/0001	PEGIGREPES
SHARED CIRCLE OF	US	75/606,377	2,510,884	11/20/2001	REGISTERED
RESPONSIBILITY	TIC	75/207 007	2 100 765	0./22/1008	DECICTEDED
SOURCE ONE	US	75/327,887	2,190,765	9 /22/1998	REGISTERED
STRATATEC	US	78/435,473	2,983,357	8 /9 /2005	REGISTERED
SYMTEX	US	76/026,855	2,440,974	4 /3 /2001	REGISTERED

3

TRADEMARK

REEL: 003440 FRAME: 0041

SYON-5	US	75/546,895	2,383,988	9 /5 /2000	REGISTERED
TANDUS	CA	1102807	TMA589085	9 /8 /2003	REGISTERED
TANDUS	CA	1102807	TMA589085	9 /8 /2003	REGISTERED
TANDUS	CA	1102807	TMA589085	9 /8 /2003	REGISTERED
TANDUS	CA	1102807	TMA589085	9 /8 /2003	REGISTERED
TANDUS	CA	1102807	TMA589085	9 /8 /2003	REGISTERED
TANDUS	CN	3065301	3065301	5 /14/2003	REGISTERED
TANDUS	CN	3065302	3065302	5 /21/2003	REGISTERED
TANDUS	HK	20477/2001	08940	12/20/2001	REGISTERED
TANDUS	JР	113067/2001	4608360	9 /27/2002	REGISTERED
TANDUS	MY	2002/00343			PENDING
TANDUS	MY	2002/00344	02000344	11/1 /2002	REGISTERED
TANDUS	SG	T02/00681G	T02/00681G	1 /14/2002	REGISTERED
TANDUS	TH	477087	See Remarks	1 /10/2002	REGISTERED
TANDUS	TH	477086	See Remarks	1 /10/2002	REGISTERED
TANDUS	US	76/148,038	2,672,859	1 /7 /2003	REGISTERED
TANDUS	US	76/148,039	2,693,876	3 /4 /2003	REGISTERED
TANDUS	US	76/148,116	2,732,737	7 /1 /2003	REGISTERED
TANDUS	US	76/148,100	2,832,384	4 /13/2004	REGISTERED
TANDUS GROUP and design	US	76/238,573	2,693,987	3 /4 /2003	REGISTERED
TANDUS GROUP and design	US	76/238,574	2,660,565	12/10/2003	REGISTERED
TANDUS GROUP and design	US	76/238,161	2,725,292	6 /10/2003	REGISTERED
TANDUS GROUP and design	US	76/238,169	2,727,832	6 /17/2003	REGISTERED
TRIAD	US	76/026,860	2,435,377	3 /13/2001	REGISTERED

# Common Law Marks

CROSSLEY
CROSSLEY and Design
ETHOS
MODULAR
VERVE