

## TRADEMARK ASSIGNMENT

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	RELEASE BY SECURED PARTY		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Bankers Trust Company		06/07/2000	CORPORATION: NEW YORK
RECEIVING PARTY DATA			
Name:	Broyhill Furniture Industries, Inc.		
Street Address:	One Broyhill Park		
City:	Lenoir		
State/Country:	NORTH CAROLINA		
Postal Code:	28633		
Entity Type:	CORPORATION: NORTH CAROLINA		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Registration Number:	1382355	THE BROYHILL DIFFERENCE	
CORRESPONDENCE DATA			
Fax Number:	4048156555		
	<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i>		
Phone:	404-815-6500		
Email:	tadmin@kilpatricktownsend.com, bhobson@kilstock.com		
Correspondent Name:	William H. Brewster		
Address Line 1:	1100 Peachtree Street		
Address Line 2:	Suite 2800		
Address Line 4:	Atlanta, GEORGIA 30309		
ATTORNEY DOCKET NUMBER:	61077-852609		
NAME OF SUBMITTER:	Tracie R. Siddiqui, VA Bar Member		
Signature:	/Tracie R. Siddiqui/		

Date:

11/28/2012

**Total Attachments: 7**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
ASSIGNMENT RECORDATION BRANCH

**Request for Recordal of Trademark Release Against Reg. No. 1,382,355:  
Security Agreement Originally Recorded at Reel/Frame 1501/0524 and  
Trademark Release at Reel/Frame 4890/0664**

**DECLARATION OF MEREDITH M. GRAHAM**

1. My name is Meredith M. Graham. I am Corporate Secretary of Broyhill Furniture Industries, Inc. The information set forth in this Declaration is based upon my personal knowledge and upon records maintained by my employer in the ordinary course of business which are under my custody and control.
2. On or about December 28, 1995, Broyhill Furniture Industries, Inc., along with related companies (collectively "Broyhill"), and Bankers Trust Company entered into a loan agreement dated December 29, 1995, by operation of which Bankers Trust Company obtained a security interest in certain trademarks ("Marks") owned by Broyhill Furniture Industries, Inc. ("Security Agreement").
3. The Security Agreement related to the Marks was recorded with the U.S. Patent and Trademark Office at Reel/Frame 1501/0524 on March 29, 1996.
4. On or about June 7, 2000, upon satisfaction of the loan agreement between Bankers Trust Company and Broyhill, Bankers Trust released the security interest in the Marks ("Trademark Release"). A copy of the Trademark Release, along with its Schedule A, is attached hereto as Exhibit A. The Trademark Release has been recorded with the U.S. Patent and Trademark Office at Reel/Frame 4890/0664.
5. The parties intended for the Trademark Release to release the security interest in all Marks included in the original Security Agreement. However, due to an inadvertent clerical oversight, Reg. No. 1,382,355 for the mark THE BROYHILL DIFFERENCE ("Reg. No. 1,382,355") was not included on Schedule A of the Trademark Release, even though it had been included on the schedule of Marks covered by the original Security Agreement.
6. This oversight was completely unintentional. The Trademark Release was intended to cover all of the Marks listed on the schedule to the original Security Agreement, as evidenced by the last sentence of the release which expressly references the security interest "duly recorded on March 29, 1996 at Trademark Reel 1501, Frame 0524 in the United States Patent and Trademark Office."
7. In order to give full effect to the intention of the parties, the Trademark Release recorded at Reel/Frame 4890/0664 also should be recorded against Reg. No. 1,382,355, even though that

Mark was inadvertently omitted from the schedule of Marks attached to the Trademark Release.

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, declares under penalty of perjury that the facts set forth in this declaration are true; all statements made of her own knowledge are true; and that all statements made on information and belief are believed to be true.

Executed this 26th day of November, 2012.

A handwritten signature in black ink, appearing to read "Meredith M. Graham". The signature is written in a cursive style with a horizontal line underneath it.

Meredith M. Graham  
Corporate Secretary  
Broyhill Furniture Industries, Inc.

TRADEMARK RELEASE

This Release granted as of June 7, 2000, by Bankers Trust Company, a New York banking corporation, as Collateral Agent (the "Agent"), with principal offices at 130 Liberty Street, New York, New York 10006, to Broyhill Furniture Industries, Inc., a North Carolina corporation ("Assignor"), with principal offices at Broyhill Park, Lenoir, North Carolina 28633, as follows:

W I T N E S S E T H:

WHEREAS, the Assignor has heretofore granted to the Agent a security interest in certain U.S. trademarks, trademark registrations and trademark applications as more particularly set forth on Schedule A attached hereto (the "Marks") to secure the Secured Obligations (as defined in the Security Agreement, dated December 29, 1995, between the Agent and the Assignor (the "Security Agreement")); and

WHEREAS, the Agent wishes to release and restore all right, title and interest in and to the Marks to the Assignor and to dissolve any and all Liens and encumbrances respecting the Marks shown on the attached Schedule A hereto.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, the Agent hereby releases, discharges, quit claims and relinquishes unto the Assignor any and all right, title and interest in and to the Marks, and more particularly, (i) the security interest in the trademarks, trademark registrations and trademark applications as set forth on Schedule A hereto, (ii) all Proceeds (as such term is defined in the Security Agreement) and products of the Marks, (iii) the goodwill of the business symbolized by the Marks and (iv) all

causes of action arising prior to or after December 29, 1995 for infringement of any of the Marks or unfair competition regarding the same, and granted to the Agent by the Assignor by the Security Agreement, which Assignment was duly recorded on March 29, 1996 at Trademark Reel 1501, Frame 0524 in the United States Patent and Trademark Office.

\* \* \*

BANKERS TRUST COMPANY,  
as Collateral Agent

By: \_\_\_\_\_  
Name:  
Title:

Acknowledged and Agreed to by:

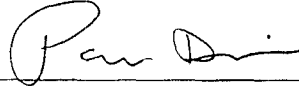
BROYHILL FURNITURE INDUSTRIES, INC.

By: Robert Kuntz  
Name: Robert Kuntz  
Title: Assistant Secretary

causes of action arising prior to or after December 29, 1995 for infringement of any of the Marks or unfair competition regarding the same, and granted to the Agent by the Assignor by the Security Agreement, which Assignment was duly recorded on March 29, 1996 at Trademark Reel 1501, Frame 0524 in the United States Patent and Trademark Office.

\* \* \*

BANKERS TRUST COMPANY,  
as Collateral Agent

By:   
Name: PAM DIVINO  
Title: Vice President

Acknowledged and Agreed to by:  
BROYHILL FURNITURE INDUSTRIES, INC.

By: \_\_\_\_\_  
Name:  
Title:

SCHEDULE A

Trademark Registrations

<u>Mark</u>	<u>Registration No.</u>	<u>Registration Date</u>
AMERICAN SPIRIT	1,803,272	11/9/93
ACCENTS	1,713,462	9/8/92
AMERICAN FRONTIER	1,684,150	4/21/92
BED & BREAKFAST	1,553,758	8/29/89
ADAPTABLES	1,100,212	8/22/78
BRINGING CONSUMERS TO YOU	2,005,633	10/8/96
BERKELEY HALL COLLECTION	1,895,110	5/23/95
BROY-GLIDE	744,499	1/29/63
BRASILIA	752,958	7/16/63
BROYHILL	658,809	2/25/58
BROYHILL and Design	1,446,458	7/7/87
BROYHILL CHAIR SHOPPE	1,388,353	4/1/86
BROYHILL and Design	1,319,405	2/12/85
BROYHILL PREMIER COLLECTIONS	1,254,566	10/18/83
BROYHILL PREMIER	683,678	8/18/59
CANDLEWOOD	1,943,017	12/19/95
BROYHILL SHOWCASE GALLERY	1,617,154	10/9/90
BROYHILL SHOWCASE GALLERY and Design	1,233,112	3/29/83
CLING FREE	1,148,435	3/17/81
BROY-SLIDE	753,316	7/23/63



FURNITURE CRAFTSMEN	1,925,483	10/10/95
CONFORMATIC	1,667,659	12/10/91
COMFORT RESPONSE	1,381,463	2/4/86
LOCATOR	1,998,003	9/3/96
INDEPENDENT DEALER PROGRAM	1,597,987	5/22/90
HIGHLAND HOUSE	1,492,273	6/14/88
Design Only	1,761,401	3/30/93
MILLWOOD CREEK	1,556,875	9/19/89
LOVE YOUR HOME	1,444,174	6/23/87
POSTURE RESPONSE	1,394,895	5/27/86
PENN COLONY	749,122	5/7/63
WEXFORD TERRACE	1,758,389	3/16/93
TIMBERTOWN	1,627,175	12/11/90
ULTRALUX	1,523,519	2/7/89
THE GOOD NIGHT SLEEPER BY BROYHILL	1,456,548	9/8/87
ULTRALOUNGER	1,382,357	2/11/86