

02-07-2000

U.S. Department of Commerce
Patent and Trademark Office
TRADEMARK



MRD
9-30-99

101260541
RECORDATION COVER SHEET
TRADEMARKS ONLY

SEP 30 1999

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 # Frame #

Conveyance Type

Assignment License

Security Agreement Nunc Pro Tunc Assignment

Merger
Effective Date
Month Day Year

Change of Name

Other

Conveying Party

Mark if additional names of conveying parties attached

Name Execution Date
Month Day Year

Formerly

Individual General Partnership Limited Partnership Corporation Association

Other

Citizenship/State of Incorporation/Organization

Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKATA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)
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

10/04/1999 NTHA11 00000156 2003389
01 FC:481 40.00 DP
02 FC:482 75.00 DP

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

TRADEMARK

REEL: 002017 FRAME: 0043

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)		
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="2083389"/>	<input type="text" value="2029345"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="1995559"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="1993460"/>	<input type="text"/>	<input type="text"/>

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.

Foothill Capital Corporation

By:
Name of Person Signing

René J. Lafollette, VP
Signature

9/3/99
Date Signed

TERMINATION OF TRADEMARK SECURITY AGREEMENT

THIS TERMINATION OF TRADEMARK SECURITY AGREEMENT ("Release") is given by FOOTHILL CAPITAL CORPORATION, a California corporation ("FCC"), as of the 3rd day of September, 1999.

WITNESSETH THAT:

WHEREAS, FCC holds a certain Trademark Security Agreement executed by KORN INDUSTRIES, INCORPORATED, a South Carolina corporation ("Korn"), and FCC dated December 22, 1999, and recorded with the United States Patent and Trademark office on December 31, 1999 (the "Security Agreement"); and

WHEREAS, pursuant to the Security Agreement, Korn granted a security interest in all Trademarks, as that term is defined in the Security Agreement, including, without limitation, the registered trademarks listed on Schedule 1 attached hereto; and


WHEREAS, Korn has requested FCC to release its lien on the Trademarks granted under the Security Agreement; and

WHEREAS, FCC is willing to release Korn from all liability and other obligations to FCC under the Security Agreement.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, FCC hereby releases the Security Agreement executed by Korn.

IN WITNESS WHEREOF, FCC has executed this Termination of Trademark Security Agreement the 3rd day of September, 1999.

FOOTHILL CAPITAL CORPORATION,
a California corporation

By: 

Printed: RENE E D. LEFEBVRE

Title: VP

STATE OF Georgia)
) SS:
COUNTY OF Fulton)

Before me, a Notary Public in and for said County and State, personally appeared Renee Lefebvre
the VP of Foothill Capital Corporation, a California corporation, who acknowledged
execution of the foregoing Termination of Trademark Security Agreement.

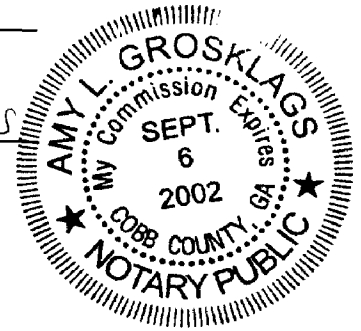
Witness my hand and Notarial Seal this 3rd day of September, 1999.

My Commission Expires:
09/06/02

Amy L. Grosklags
Notary Public

My County of Residence:
Cobb

Amy L. Grosklags
Printed



This Instrument was prepared by:

Bradley S. Fuson, Esq.
Krieg DeVault Alexander & Capehart, LLP
One Indiana Square, Suite 2800
Indianapolis, Indiana 46204

Return to:

Bradley S. Fuson, Esq.
Krieg DeVault Alexander & Capehart, LLP
One Indiana Square, Suite 2800
Indianapolis, Indiana 46204

IM-261664-3

Schedule I

Korn Industries, Incorporated d/b/a/ Sumter Cabinet Company has four registered trademarks with the United States Patent and Trademark Office.

<u>Trademark</u>	<u>Registration Number</u>
Cherryvale	2,083,389
Fremont Collection	1,995,559
Mecklenburg Collection	1,993,460
Mill House Collection	2,029,345

IM-261664-3

**BILL OF SALE AND ASSIGNMENT OF INTERESTS
IN INTANGIBLES**

This Bill of Sale and Assignment of Interests in Intangibles is executed as of the 2nd day of September, 1999 by and between CRI CAPITAL CORPORATION ("Purchaser"), a Delaware corporation, and KORN INDUSTRIES, INCORPORATED ("Seller"), a South Carolina corporation.

WITNESSETH:

WHEREAS, Purchaser and Seller are parties to that certain Trademarks and Intangibles Limited Purchase Agreement ("Purchase Agreement") dated as of even date; and

WHEREAS, the parties hereto desire to execute a document to record and evidence the transfer and sale of certain of those assets identified in the Purchase Agreement sold and transferred by Seller to Purchaser.

NOW, THEREFORE, in consideration of the foregoing premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Seller hereby sells, warrants, assigns and transfers to Purchaser, free and clear of all liens, claims, restrictions, security interests and encumbrances except as expressly set forth in the Purchase Agreement, and Purchaser hereby purchases from Seller, as of the Effective Date (as defined in the Purchase Agreement), certain of Seller's assets as set forth below:

All trademarks, including certain trademarks which are registered in the United States Patent and Trademark Office, and described on Exhibit "A" attached hereto, in the conduct of Sellers business (such registered and unregistered trademarks collectively, "Marks");

The tradename "Sumter Cabinet Company" utilized in the conduct of the Seller's business ("Name"); and

The goodwill associated with Marks and the Name in accordance with applicable law.

IN WITNESS WHEREOF, the undersigned, by their respective duly authorized officers or representatives, have set their hands effective as of the day and year first noted above.

CRI CAPITAL CORPORATION
("Purchaser")

By: Frank I. Kave

Its: VICE PRESIDENT

KORN INDUSTRIES, INCORPORATED
("Seller")

By: Joseph D. Thal

Its: Vice President

STATE OF INDIANA)
) SS:
COUNTY OF HOWARD)

Before me, a Notary Public in and for said County and State, personally appeared FRANK T. KANE, known to me to be the VICE PRESIDENT of CRI Capital Corporation, who acknowledged execution of the foregoing instrument for and on behalf of such corporation.

Witness my hand and Notarial Seal this 2nd day of September, 1999.

My Commission Expires:

9/05/2000

James K Pyke
(Notary Public - Signature)

JAMES K PYKE
(Notary Public - Printed Name)

My County of Residence:

HOWARD

STATE OF SOUTH CAROLINA)
) SS:
COUNTY OF SUMTER)

Before me, a Notary Public in and for said County and State, personally appeared Joseph G. Frank, known to me to be the Vice President of Korn Industries, Incorporated, who acknowledged execution of the foregoing instrument for and on behalf of such corporation.

Witness my hand and Notarial Seal this 2 day of September, 1999.

My Commission Expires:

12/18/2000

Jack W. Erter, Jr.
(Notary Public - Signature)

Jack W. Erter, Jr.
(Notary Public - Printed Name)

My County of Residence:

Sumter

This Instrument Prepared By:

Bradley S. Fuson, Attorney at Law
Krieg DeVault Alexander & Capehart, LLP
2800 One Indiana Square
Indianapolis, Indiana 46204-2017
(317) 636-4341

Exhibit A

Korn Industries, Incorporated d/b/a/ Sumter Cabinet Company has four registered trademarks with the United States Patent and Trademark Office.

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