

01-12-2001



101579800

**RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY**

1-12-00  
01

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  
Effective Date  
Month Day Year
- Merger
- 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/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

City State/Country Zip Code

- Individual  General Partnership  Limited Partnership  Corporation  Association
- Corporation  Association
- Other
- Citizenship/State of Incorporation/Organization

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.)

01/12/2001 00000124 1474267  
01 FC:401 40.00 OP  
02 FC:402 275.00 OP

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

**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)**

**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.)

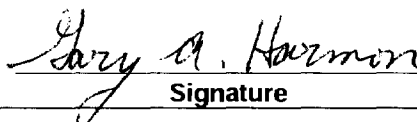
Deposit Account Number: #

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.

Gary A. Harmon  
Name of Person Signing

  
Signature

December 12, 2000  
Date Signed

RECORDATION FORM COVER SHEET  
CONTINUATION  
TRADEMARKS ONLY

**Conveying Party**

Enter Additional Conveying Party

Mark if additional names of conveying parties attached

Execution Date  
Month Day Year

Name

Formerly

Individual  General Partnership  Limited Partnership  Corporation  Association

Other

Citizenship State of Incorporation/Organization

**Receiving Party**

Enter Additional Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

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Mark if additional numbers attached

**Trademark Application Number(s)**

**Registration Number(s)**

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## RELEASE OF SECURITY INTEREST

**WHEREAS**, Carriage Industries, Inc., a Georgia corporation ("**Carriage**"), is the owner of the trademarks listed in Schedule A, attached hereto and incorporated herein by reference (the "**Trademarks**");

**WHEREAS**, the Trademarks are registered with the United States Patent and Trademark Office (the "**USPTO**");

**WHEREAS**, Carriage entered into a Loan and Security Agreement, dated as of September 6, 1990 (the "**Loan Agreement**"), by and among Carriage, certain affiliates of Carriage, the financial institutions party thereto from time to time (the "**Lenders**"), and First Union National Bank, as agent for the Lenders ("**First Union**"), pursuant to which Carriage agreed to grant to First Union a continuing security interest in, and a continuing lien on, all of Carriage's right, title and interest in and to the following (collectively, the "**Trademark Collateral**");

- (a) trademarks and trade names and registrations and applications for registration thereof, including, without limitation, the Trademarks, and the goodwill of the business symbolized by the Trademarks;
- (b) licenses of the forgoing to which Carriage is a party as licensee or licensor;
- (c) renewals thereof;
- (d) income, royalties, damages, and payments due and/or payable with the respect thereto, including, without limitation, damages, claims, and payments for infringements thereof;
- (e) rights to sue for infringements thereof, including the right to settle suits involving claims and demands for royalties owing to Carriage;
- (f) trademarks, trade names, registration and application of registration for any thereof and any other rights corresponding thereto throughout the world; and
- (g) all proceeds of and accessions to any and all of the foregoing;


**WHEREAS**, pursuant to that certain Security Assignment, dated September 12, 1990, Carriage granted to First Union, for the benefit of the Lenders, a continuing security interest in, and a continuing lien on, the Trademark Collateral as security for the payment and performance of certain secured obligations as referenced in the Loan Agreement (the "**Lien**"); and

**WHEREAS**, the obligations secured by the Lien have now been paid and satisfied, and First Union desires to release the Lien as set forth herein.

NOW, THEREFORE, in consideration of Carriage's payment and satisfaction of the obligations secured by the Lien, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, First Union does hereby release the Lien and authorizes and directs that the same be discharged as of record.

IN WITNESS WHEREOF, First Union has caused this Release to be duly executed by its authorized officer or agent as of December 12, 2000.

FIRST UNION NATIONAL BANK

By:   
Title: David J.C. Silander  
Vice President

Attestation:

\_\_\_\_\_

STATE OF North Carolina )  
COUNTY OF Mecklenburg )

Before me, the undersigned Notary Public of the state and county aforesaid, personally appeared David Silander, with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who, upon oath, acknowledged himself to be the Vice President of FIRST UNION NATIONAL BANK, and that he executed the foregoing instrument as such Vice President for the purposes therein contained as his own free act and deed.

Witness my hand, at office, this 14 day of December, 2000.

Sabrina P. Zucker  
Notary Public  
My Commission Expires: Dec. 29, 2003

**SCHEDULE A  
TRADEMARKS**

<b><u>Name of Mark</u></b>	<b><u>Registration No.</u></b>
Carriage Industries and design	1,474,287
Carriage Carpets and design	1,237,477
Tower Carpets and design	1,251,771
Suncraft Mills and design	1,488,620
Dynagraphix and design	1,489,475
Fuzzmaster	1,544,574
Dynafloor	1,552,065
Suntron	1,564,725
Trilon	1,612,170
Vanderbilt	1,647,507
Bretlin	1,667,701
Carriage Transport	1,430,579