

06-15-1998



100739104

To the Honorable Commissioner of Patents

Attached original documents or copy hereof.

1. Name of conveying party(ies):

Katzenberg Brothers, Inc.

- Individual(s)
- Association
- General Partnership
- Limited Partnership
- Corporation-State Delaware
- Other _____

Additional name(s) of conveying party(ies) attached Yes No

2. Name and address of receiving party(ies)

Name: Hartwell Industries, Inc.

Address: _____

97 Winfield Circle

City: Hartwell State: GA Zip: 30643

- Individual(s) citizenship _____
- Association _____
- General Partnership _____
- Limited Partnership _____
- Corporation-State Florida
- Other _____

If assignee is not domiciled in the United States, domestic representative designation is attached:

Yes No

(Designations must be a separate document from Assignment)

Additional name(s) & addresses attached?

Yes No

3. Nature of conveyance:

U.S. Patent & TMO/ TM Mail Receipt DT. #58



05-21-1998

- Assignment
- Merger
- Security Agreement
- Change of Name
- Other _____

Execution Date: May 5, 1998

4. Application number(s) or registration number(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s).

1,210,644

Additional Numbers attached? Yes No

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

Name: Lawrence E. Apolzon

Internal Address: Fross Zelnick Lehrman & Zissu, P.C.

Street Address: 633 Third Ave.

City: New York State: NY Zip: 10017

6. Total number of applications and registration involved:..... 1

7. Total fee (37 CFR 3.41) \$40.00

- Enclosed
- Authorized to be charged to deposit account

(Only if total fee is not sufficient)

8. Deposit account number:

23-0825-0576900

(Attach duplicate copy of this page if paying by deposit account)

06/11/1998 JSHABAZZ 00000081 1210644

01 FC-481

40.00 DP

DO NOT USE THIS SPACE

9. 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.

Lawrence E. Apolzon

Name of Person Signing

[Signature]
Signature

5/20/98
Date

Total number of pages comprising cover sheet: _____

ASSIGNMENT

WHEREAS, KATZENBERG BROTHERS, INC., a corporation organized and existing under the laws of the State of Delaware ("**Assignor**"), is the owner of the following trademark now registered in the United States Patent and Trademark Office:

<u>Trademark</u>	<u>Reg. No.</u>
MERRYGARDEN	1,210,644

and WHEREAS, HARTWELL INDUSTRIES, INC., a corporation organized and existing under the laws of the State of Florida, located at 97 Winfield Circle, Hartwell, Georgia 30643 ("**Assignee**"), is desirous of acquiring said registered trademark.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Assignor hereby assigns to Assignee all right, title and interest in and to said trademark, together with the goodwill of the business symbolized by said trademark and the above-named registration therefor, and with all claims arising out of or relating to the use or ownership of said mark.

KATZENBERG BROTHERS, INC.

By: R. Stephen L. Lefler
Name: President and Chief Executive
Title: R. Stephen Lefler

Date of Signature: 5/5/98

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

ALLAN ZELNICK
OF COINSEI

ALVIN FROSS
RONALD J. LEHRMAN
STEPHEN BIGGER
MICHAEL I. DAVIS
ROGER L. ZISSU
MARIE V. DRISCOLL
RICHARD Z. LEHV
CAROL F. SIMKIN
MARGARET F. GOLDSTEIN
DAVID W. EHRLICH
SUSAN UPTON DOUGLASS
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DAVID A. COHEN

May 18, 1998

U.S. Patent & TMOtc/TM Mail Receipt Dt. #58



05-21-1998

Assistant Commissioner for
Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Attn: Assignment Branch

"Express Mail" mailing label no. 164 299
Date of Deposit... 5/21/98

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Addressee" service under 37 CFR 1.10 on the date above and is addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513.

Patrick J. Boisson
Printed name of person mailing paper or fee)
(Signature)

Re: Recordal of Assignment against U.S. Trademark
Reg. No. 1210644 for MERRYGARDEN
From: Katzenberg Brothers, Inc.
To : Hartwell Industries, Inc.
(Our Ref: HWL USA TT-98/04438)

Dear Sirs:

Please record the enclosed Deed of Assignment against the above U.S. trademark registration.

For this purpose we enclose the following:

- 1. Deed of Assignment
- 2. Our check in the amount of \$40.00 for filing fees
- 3. Recordation form cover sheet

Should the enclosed fee be insufficient, or should any additional fees be required in future in connection with this registration, please charge our deposit Account No. 23-0825-0576900 with any deficiency.

We look forward to receiving confirmation that the assignment has been duly recorded.

Respectfully submitted,

(Signature)
Lawrence E. Apolzon

LEA/PB
Enclosure