

To the Honorable Commissioner of Patent.

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6/23/98

07-01-1998

EET

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office



100752871

Send original documents or copy thereof.

RECEIVED
JUN 22 1998

1. Name of conveying party(ies):

T-H Irrigation, Inc.

- Individual(s)
- General Partnership
- Corporation-State of Nevada
- Other
- Association
- Limited Partnership

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

3. Nature of conveyance:

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

Execution Date: 3/26/98

2. Name and address of receiving party(ies)

Name: The Toro Company

Internal Address:

Street Address: 5825 Jasmine Street

City: Riverside State: CA ZIP: 9

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

If assignee is not domiciled in the United States, a domestic representative is attached: Yes No

(Designations must be a separate document from assignment)
Additional name(s) & address(es) attached? Yes No

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

A. Trademark Application No.(s) 75/034,924

B. Trademark Registration No.(s)

Additional numbers attached? Yes No

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

Name: Richard L. Myers, Esq.

Internal Address:

Street Address: 100 Pacificia, Suite 210

City: Irvine State: CA ZIP: 92618

6. Total number of applications and registrations involved:

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

- Enclosed
- Previously paid (see attached)
- Authorized to be charged to deposit account

8. Deposit account number:

13-5117

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

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 the original document.

Richard L. Myers

Name of Person Signing

Signature

6/16/98

Date

Total number of pages including cover sheet, attachments, and document: 8

MRO
4-3-98

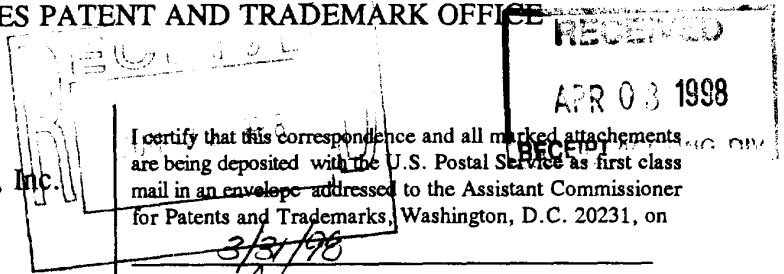
04-14-1998



100683354

TRADEMARK
Docket: ATMI-5438-HI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



REGISTRANT: The Toro Company, Inc.
(formerly, T-H Irrigation, Inc.)

SERIAL NO. 75/034,924

FILING DATE: December 20, 1995

MARK: QUANTUM

Date

Lynne Price
Lynne Price

BOX ASSIGNMENT

Commissioner of Patents and Trademarks
Washington, DC 20231

Sir:

Two documents are enclosed for recordation and should be recorded in the order listed below. Also enclosed are the following:

1. Certificate of Amendment of Articles of Incorporation (name change); and
2. Assignment
3. Check in the amount of \$40 for recording fee.
4. Return postcard.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 13-5117. A duplicate copy of this letter is enclosed.

Respectfully requested,

Richard L. Myers
Richard L. Myers
Attorney for Applicant

(8/15/98) (10/15/98)

100 Pacifica, Suite 210
Irvine, California 92618
Tel. (714) 450-1750
Fax. (714) 450-1764
c:\#client\toro\5427\assign.tm

ASSIGNMENT

WHEREAS, T-H Irrigation, Inc., a corporation of the State of Nevada, having its place of business at 5825 Jasmine Street, Riverside, California 92504 (hereinafter called "ASSIGNOR"), is sole owner by Certificate of Amendment of Articles of Incorporation of the entire right, title and interest in and to the following described trademark and United States application for registration thereof.

Trademark: QUANTUM
Serial No.: 75/034,924
Filing Date: December 20, 1995

and

WHEREAS, The Toro Corporation, a corporation of the State of Delaware, having its place of business at 5825 Jasmine Street, Riverside, California 92504 (hereinafter called "ASSIGNEE"), is desirous of acquiring the entire right, title and interest in and to the aforesaid trademark in the United States of America, and in any and all countries foreign thereto;

NOW, THEREFORE, TO WHOM IT MAY CONCERN, be it known that, for and in consideration of the sum of ONE DOLLAR (\$1.00) paid to Assignor by the said Assignee, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, by these present does sell, assign and transfer unto said Assignee, its successors, assigns and legal representatives, the full and exclusive right, title and interest for the territory of the United States of America and all countries foreign thereto (including the right to apply for trademarks in foreign countries in its own name and to claim any priority rights for such foreign applications to which such applications are entitled under international conventions, treaties or otherwise), in and to the said trademark as described in said application, and in and to all trademark registrations granted thereon, and Assignor hereby authorizes and requests the Commissioner of Patents and Trademarks to issue all Registrations of said trademark resulting therefrom to said Assignee, as assignee of the entire right, title and interest, and Assignor covenants that it has full right so to do and agrees that it will communicate to said Assignee, or its successors, any and all facts known to it regarding said trademark whenever requested and will testify in any legal proceeding, sign all lawful papers, and generally do everything possible to aid said Assignee, its successors and assigns, to obtain and enforce trademark protection for said mark in all countries.

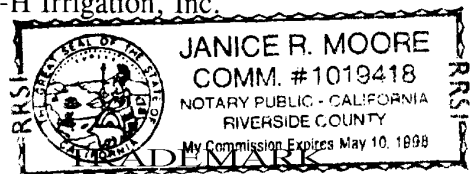
IN TESTIMONY WHEREOF, Assignor has caused these present to be signed by the president thereunto duly authorized as of the 26 day of March 1998.

STATE OF CALIFORNIA,
COUNTY OF RIVERSIDE)

Richard W. Parod
Richard W. Parod, President
T-H Irrigation, Inc.

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 26th DAY OF March, 1998.
BY Janice R. Moore

NOTARY PUBLIC



TRADEMARK

"Express Mail" mailing label number E1531070380US

Date of Deposit September 30, 1997

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box ITU FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.

By William Owen

Signature 

Explanation of Applicant Name Change

Applicant: T-H Irrigation, Inc., formerly James Hardie Irrigation, Inc.

Mark: QUANTUM

Serial No.: 75/034924

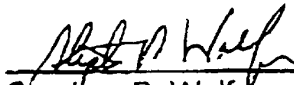
Filing Date: December 20, 1995

Notice of Allowance Mailing Date: April 1, 1997

To The Assistant Secretary and Commissioner of Patents and Trademarks:

The above-referenced trademark registration application was filed in the name of James Hardie Irrigation, Inc. on December 20, 1995. Attached is a copy of the Certificate of Amendment of Articles of Incorporation evidencing the name change from James Hardie Irrigation, Inc. to T-H Irrigation, Inc., a Nevada corporation. This explains why the REQUEST FOR EXTENSION OF TIME UNDER 37 CFR 2.89, TO FILE A STATEMENT OF USE, WITH DECLARATION has been signed by an officer of T-H Irrigation, Inc.

Date: September 30, 1997


Stephen P. Wolfe
Treasurer
T-H Irrigation, Inc.
5825 Jasmine Street
Riverside, CA 92504

quantum.doc/3

State of California

SECRETARY OF STATE

CERTIFICATE OF QUALIFICATION

I, **BILL JONES**, Secretary of State of the State of California, hereby certify:

That on the 12TH day of SEPTEMBER, 1997, under its name at that time, and now named T-H IRRIGATION, INC.

a corporation organized and existing under the laws of NEVADA,

complied with the requirements of California law in effect on that date for the purpose of qualifying to transact intrastate business in the State of California and that as of said date said corporation became, and now is, qualified and authorized to transact intrastate business in the State of California, subject, however, to any licensing requirements otherwise imposed by the laws of this State.

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this 19TH day of MAY, 1997

Bill Jones
Secretary of State



Filing fee:

Receipt #

CERTIFICATE OF AMENDMENT OF ARTICLES OF INCORPORATION

(After Issuance of Stock)

Filed by:

COPY

James Hardie Irrigation, Inc.
Name of Corporation

We the undersigned, Richard W. Parod and
President or Vice President

J. Lawrence McIntyre of James Hardie Irrigation, Inc.
Secretary or Assistant Secretary Name of Corporation

do hereby certify:

That the Board of Directors of said corporation at a meeting duly convened, held on the 5th
day of May, 1997, adopted a resolution to amend the original articles as follows:

Article I is hereby amended to read as follows:

The name of the Corporation is T-H Irrigation, Inc.

Article II is hereby amended to read as follows:

The address and location of the registered office of the Corporation in the
State of Nevada is 400 West King Street, Carson City, Nevada 89703.

FILED
OFFICE OF THE
SECRETARY OF STATE OF THE
STATE OF NEVADA
MAY 15 1997
No. C1191790
Dean Heller
DEAN HELLER, SECRETARY OF STATE

The number of shares of the corporation outstanding and entitled to vote on an amendment to the
Articles of Incorporation is 1,000; that the said change(s) and amendment have been consented to
and approved by a majority vote of the stockholders holding at least a majority of each class of stock
outstanding and entitled to vote thereon.

Richard W. Parod
President
J. Lawrence McIntyre
Secretary

State of CALIFORNIA
County of ORANGE ss.

On MAY 8TH 1997, personally appeared before me, a Notary Public,

Names of Persons Appearing and Signing Document, who acknowledged

that they executed the above instrument.

Signature of Notary
SEE ATTACHED

(NOTARY STAMP OR SEAL)



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

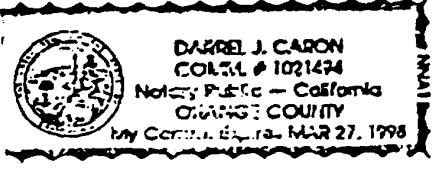
No. 519

State of CALIFORNIA
County of ORANGE

On 5-8-97 before me, DARREL J. CARON
DATE NAME, TITLE OF OFFICER - P.S. - JANE DOE, NOTARY PUBLIC

personally appeared RICHARD W. PAROD
NAME OF PERSON(S)

I personally know to me - OR - proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.
[Signature]
SIGNATURE OF NOTARY

OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

- INDIVIDUAL
- CORPORATE OFFICER
- TITLE OR
- PARTNER(S) LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN/CONSERVATOR
- OTHER: _____

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(ES)

OPTIONAL SECTION

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

TITLE OR TYPE OF DOCUMENT _____

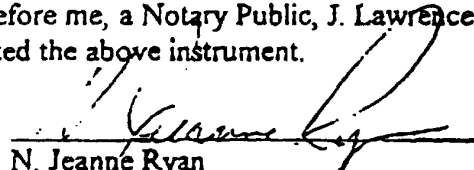
NUMBER OF PAGES 5 DATE OF DOCUMENT 5-8-97

SIGNER(S) OTHER THAN NAMED ABOVE _____

Though the data requested here is not required by law, it will prevent fraudulent reattachment of this form.

State of Minnesota)
) ss.
County of Hennepin)

On May 12th, personally appeared before me, a Notary Public, J. Lawrence McIntyre, who acknowledged that he executed the above instrument.



N. Jeanne Ryan
Notary Public

