

10-27-1998



100860933

RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

10-26-98

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 #

10-26-98

Conveyance Type

- Assignment License
- Security Agreement Nunc Pro Tunc Assignment
- Merger
- Change of Name
- Other

Effective Date
Month Day Year
10 1 98

Conveying Party

Mark if additional names of conveying parties attached

Execution Date
Month Day Year

Name Scotts-Sierra Horticultural Products Company

10 21 98

Formerly

- Individual General Partnership Limited Partnership Corporation Association
- Other

Citizenship/State of Incorporation/Organization CALIFORNIA

Receiving Party

Mark if additional names of receiving parties attached

Name The Scotts Company

DBA/AKA/TA

Composed of

Address (line 1) 14111 Scottslawn Road

Address (line 2)

Address (line 3) Marysville

OHIO

43041

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 OHIO

10/27/1998 TTU011 06000125 431731

FOR OFFICE USE ONLY

01 FC:482
02 FC:481

475.00 OP
40.00 OP

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: 1804 FRAME: 0224

Domestic Representative Name and Address Enter for the first Receiving Party only.

Name JOSEPH R. DREITLER

Address (line 1) VORYS SATER SEYMOUR and PEASE LLP

Address (line 2) 52 EAST GAY STREET

Address (line 3) COLUMBUS OHIO 43216-1008

Address (line 4)

Correspondent Name and Address Area Code and Telephone Number 614 464-6383

Name JOSEPH R. DREITLER

Address (line 1) VORYS SATER SEYMOUR and PEASE LLP

Address (line 2) 52 EAST GAY STREET

Address (line 3) COLUMBUS OHIO 43216-1008

Address (line 4)

Pages Enter the total number of pages of the attached conveyance document including any attachments. # 7

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)		
<u></u>	<u></u>	<u></u>	<u>431,731</u>	<u>830,863</u>	<u>1,177,687</u>
<u></u>	<u></u>	<u></u>	<u>746,804</u>	<u>998,042</u>	<u>1,193,465</u>
<u></u>	<u></u>	<u></u>	<u>781,205</u>	<u>1,143,806</u>	<u>1,242,451</u>

Number of Properties Enter the total number of properties involved. # 20

Fee Amount Fee Amount for Properties Listed (37 CFR 3.41): \$ 515.00

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.

JOSEPH R. DREITLER Joseph R. Dreidler 10/23/98

Name of Person Signing Signature Date Signed

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name JOSEPH R. DREITLER

Address (line 1) VORYS SATER SEYMOUR and PEASE LLP

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Trademark Application Number(s)

Registration Number(s)

1,250,104 1,281,982 1,639,454
1,250,790 1,283,934 1,701,057
1,279,370 1,397,273 1,756,256

Number of Properties

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Fee Amount

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\$ 515

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Enclosed Deposit Account

Deposit Account

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Deposit Account Number: #

Authorization to charge additional fees: Yes No

Statement and Signature

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JOSEPH R. DREITLER

Name of Person Signing

Joseph R. Dreitler

Signature

10/23/98

Date Signed

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name JOSEPH R. DREITLER

Address (line 1) VORYS SATER SEYMOUR and PEASE LLP

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Trademark Application Number(s)

Registration Number(s)

			<u>1,810,327</u>		
			<u>1,946,675</u>		

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Statement and Signature

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JOSEPH R. DREITLER

Joseph R Dreitler

10/23/98

Name of Person Signing

Signature

Date Signed

NUNC PRO TUNC ASSIGNMENT

STATE OF OHIO)
) SS:
 COUNTY OF UNION)

WHEREAS, Scotts-Sierra Horticultural Products Company, a California corporation located at 14111 Scottslawn Road, Marysville, Ohio 43041, has adopted, owns and used the trademarks shown on the attached Schedule A; and,

WHEREAS, The Scotts Company, an Ohio corporation, located and doing business at 14111 Scottslawn Road, Marysville, Ohio 43041, is desirous of acquiring all of the right, title and interest in and to the aforesaid marks, the registrations thereof, including all trade names embodying wholly or in part the aforesaid marks as of an effective date of October 1, 1998.

NOW, THEREFORE, for ten dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, Scotts-Sierra Horticultural Products Company does hereby assign, sell, transfer and convey to The Scotts Company, all of its right, title and interest in and to the said marks and trade names, including all claims for past infringement and all causes of action with respect to or arising out of the said marks and trade names, together with the good will of its business symbolized by the name, the marks, and the registrations thereof.

Scotts-Sierra Horticultural Products Company further covenants with The Scotts Company, to execute, when requested, such additional assignments, instruments and documents as may be necessary or desirable to effectuate this agreement and assignment.

IN WITNESS WHEREOF, the undersign authorized officer of Scotts-Sierra Horticultural

Products Company has hereunto set his hand and the Seal of the Corporation on this 21st day of

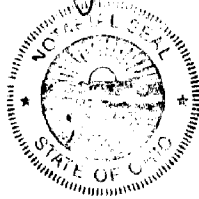
October, 1998.

SCOTTS-SIERRA HORTICULTURAL
PRODUCTS COMPANY

By: Colbert Lewis
Title: Vice President and Secretary

Subscribed to and sworn before me this 21st day of October 1998.

Joan C. Makley
Notary Public



JOAN C. MAKLEY
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES SEPT. 13, 1999

SCHEDULE A

<u>Registration Number</u>	<u>Mark</u>	<u>Date of Registration</u>
431,731	Terra-Lite (Stylized)	8/5/47
746,804	Peters	3/19/63
781,205	Osmocote	12/8/64
830,863	Redi-Earth	6/27/67
998,042	Metro-Mix	11/12/74
1,143,806	Leaf Design	12/23/80
1,177,687	Micromax & Design	11/17/81
1,193,465	Sierrablen & Design	4/13/82
1,242,451	Peters Professional	6/21/83
1,250,104	Uni-Mix Plus	9/6/83
1,250,790	Hydro-Sol	9/13/83
1,279,370	Peat-Lite Special	5/29/84
1,281,982	Terra-Lite	6/19/84
1,283,934	M-77	7/3/84
1,397,273	Sierra	6/17/86
1,639,454	Once & Design	4/2/91
1,701,057	Max Bac	7/14/92
1,756,256	Plant & Feed (Stylized)	3/2/93
1,810,327	HighN (Stylized)	12/14/93
1,946,675	Customblen (Stylized)	1/9/96