

03-05-1999



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32-99

RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

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  
12 23 98

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/AK/A/T/A

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

03/04/1999 DNGUYEN 00000205 1657567

FOR OFFICE USE ONLY

01 FC:481 40.00 OP  
02 FC:482 350.00 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: 1864 FRAME: 0232

**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.

Erinn C. Kelly, Esq.

February 25, 1999

Name of Person Signing

Signature

Date Signed

**RECORDATION FORM COVER SHEET  
CONTINUATION  
TRADEMARKS ONLY**

Attorney Docket # 365740

FORM PTO-1618C  
Expires 06/30/99  
OMB 0651-0027

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

**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

Individual     General Partnership     Limited Partnership

Corporation     Association

Other

Citizenship/State of Incorporation/Organization

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**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)**

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11363	334924	1329928
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**U.S. TRADEMARK ASSIGNMENT**

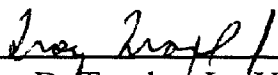
In consideration of ONE AND NO/100 DOLLAR (\$1.00) lawful money of the United States of America, and other good and valuable consideration to AGRIPRO SEEDS, INC., a Delaware corporation (the "Assignor"), in hand paid by ABI ALFALFA, INC., a Delaware corporation, and a wholly-owned subsidiary of Assignor (the "Assignee"), the receipt and sufficiency of which consideration is hereby acknowledged, the Assignor does hereby contribute, transfer, convey and deliver unto the Assignee, as of December 23, 1998, all of the Assignor's right, title and interest in and to each of the trademarks listed on Schedule A attached hereto, all registrations and applications therefor, the right to recover for past infringement, and the goodwill of business in connection which they are or have been used and, to the extent permitted by law, all of the Assignor's right to use and register such marks in foreign jurisdictions. Assignee hereby accepts the above assignment.

IN WITNESS WHEREOF, Assignor and Assignee have caused this assignment to be executed effective as of the 23rd day of December, 1998.

ASSIGNOR: AGRIPRO SEEDS, INC., a Delaware corporation

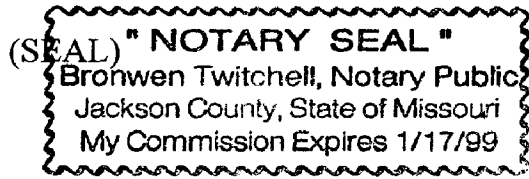
By:   
Milton Allen, President

ASSIGNEE: ABI ALFALFA, INC., a Delaware corporation

By:   
Troy D. Traxler, Jr., Vice President

STATE OF MISSOURI     )  
  )ss  
COUNTY OF JACKSON    )

On this 23rd day of December, 1998, personally appeared Milton Allen, to me known to be the above named, and acknowledged that he executed the foregoing instrument on behalf of said Assignor and pursuant to authority duly received.

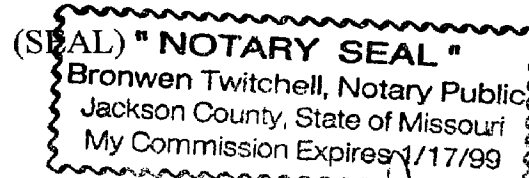


Bronwen Twitchell  
Notary Public

My Commission Expires: January 17, 1999

STATE OF MISSOURI     )  
  )ss  
COUNTY OF JACKSON    )

On this 23rd day of December, 1998, personally appeared Troy D. Traxler, Jr., to me known to be the above named, and acknowledged that he executed the foregoing instrument on behalf of said Assignee and pursuant to authority duly received.



Bronwen Twitchell  
Notary Public

My Commission Expires: January 17, 1999

SCHEDULE A

COUNTRY: United States

AGRIPRO SEEDS, INC. TRADEMARKS

Pending and Registered										
Mark	Goods	Class	App. Date	App. #	Reg. Date	Reg. #	Section 8 & 15 Due	Renewal Due	Status/Owner	US
ABI	Agricultural seeds; namely, alfalfa seeds, seed corn, sorghum seeds, soybean seeds, and sunflower seeds	31	9/4/90	74/094378	9/17/91	1,657,567	9/17/96-97 (completed and accepted)	9/17/01	Registered/Agripro Seeds, Inc.	®
ABI and Design	Agricultural seeds; namely, alfalfa seeds, seed corn, sorghum seeds, soybean seeds	31	9/4/90	74/093726	9/24/91	1,658,436	9/24/96-97 (completed and accepted)	9/24/01	Registered/Agripro Seeds, Inc.	®
AMERICA'S ALFALFA	Alfalfa seeds	31	1/3/92	74/234874	3/23/93	1,760,146	3/23/98-99 (completed and accepted)	3/23/03	Registered; 8 & 15 accepted 8/13/98/Agripro Seeds, Inc.	®
AMERICA'S ALFALFA and Design	Alfalfa seeds	31	1/15/98	75/418249					Pending; non-final office action mailed 6/24/98/Agripro Seeds, Inc.	™
AMERIGUARD	Agricultural seeds, namely, alfalfa seeds containing insect resistant genes	31	4/28/97	75/282941	4/14/98	2,150,902	4/14/03-04	4/14/08	Registered/Agripro Seeds, Inc.	®
GROZONE *see note below	Agricultural seed coating sold only as applied to the seed	31	11/7/77	73/147631	3/27/79	1,115,761	3/27/84-85 (completed and accepted)	3/27/99	Renewal due 3/27/99; Draft renewal sent to client 12/21/98/Agripro Seeds, Inc.	®
NUTRIGRAZE	Alfalfa seeds for agricultural purposes	31	5/9/94	74/520759					Pending; in negotiations with Kellogg re: their mark NUTRIGRAIN/Agripro Seeds, Inc.	™
SIGNAL	Agricultural seeds; namely alfalfa seed varieties	31	5/28/92	74/278358	1/19/93	1,747,325	1/19/98-99	1/19/03	Registered/8 & 15 executed, awaiting specimen for filing/Agripro Seeds, Inc.	®
TWIN TRAK	Material treatment services; namely agricultural seed services	40	7/2/92	74/290649	9/6/94	1,853,313	9/6/99-00	9/6/04	Registered/Agripro Seeds, Inc.	®
WAC	Agricultural seed, namely, sorghum	31	11/19/96	75/200730	10/21/97	2,107,342	10/21/02-03	10/21/07	Registered/Agripro Seeds, Inc.	®
+Z									Using mark	™
ABI AGRIPRO BIOSCIENCES INC and Design (Kansas)	Retail sale of plant seeds	1			5/29/89	11363		5/25/89	Registered/Agripro Biosciences, Inc.	™

TRADEMARK

REEL: 1864 FRAME: 0237

SCHEDULE A

Mark	Goods	Class	App. Date	App. #	Reg. Date	Reg. #	Section 8 & 15 Due	Renewal Due	Status/Owner	Use
AMERICA'S ALFALFA (Missouri - fictitious name)			3/5/98			334924		Registered until voluntarily cancelled	Registered/Agripro Seeds, Inc.	
ABI ALFALFA (Nebraska - trade name)	Natural agricultural products	31			8/22/94	1,329,928		8/22/04	Registered/Agripro Seeds, Inc.	
Inactive marks										
ADVENT	Alfalfa seeds	31	5/9/94	74/520758					Abandoned after examining attorney refused application because mark is varietal name for goods/Agripro Seeds, Inc.	
MULTIGRAZE	Alfalfa seeds	31	5/9/94	74/520757					Abandoned after examining attorney cited likelihood of confusion/Agripro Seeds, Inc.	
NUTRIALFALFA	Agricultural seed, namely alfalfa	31	4/27/95	74/666978					Abandoned per client request/Agripro Seeds, Inc.	
ALFAGUARD	Agricultural seeds, namely, alfalfa containing insect resistant genes	31	2/12/96	75/056290					Abandoned	™
NUTRI ✓	Infrared spectrometry testing services for agricultural seeds	42	7/2/92	74/290648	7/26/94	1,847,493	7/26/99-00	7/26/04	Registered/Agripro Seeds, Inc.	®

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