

RECORDATION FOR
TRADEMARK

05-14-1999

DEPARTMENT OF COMMERCE
Patent and Trademark Office



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To the Honorable Commissioner of Patents and Trademarks: File.

1. Name of conveying party(ies):

CINCINNATI PRODUCTS, INC.

MAD 5-10-99

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

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

3. Nature of conveyance:

22

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

Execution Date: February 15, 1999

2. Name and address of receiving party(ies)

FRESH INTELLECTUAL
Name: PROPERTIES, INC.

Internal Address: _____
Street Address: 103 FOULK ROAD, SUITE 202
City: Wilmington State: DE ZIP: 19803

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

If assignee is not domiciled in the United States, a domestic representative designation 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)

TM

B. Trademark Registration No.(s)

1,797,040

Additional numbers attached? Yes No

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

Name: Thomas M. Galgano

Internal Address: _____

GALGANO & BURKE

Street Address: 300 RABRO DRIVE, SUITE 135

City: HAUPPAUGE State: NY ZIP: 11788

6. Total number of applications and registrations involved: 1

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

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number: _____

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

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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.

Thomas M. Galgano, Esq.

Name of Person Signing

Thomas M. Galgano
Signature

5/5/99

Date

Total number of pages including cover sheet, attachments, and document: 4

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

TRADEMARK
REEL: 1896 FRAME: 0612

TRADEMARK ASSIGNMENT

WHEREAS, Cincinnati Products, Inc., of 116 Oak Ave., Cincinnati, OH 45246 has adopted, used and is using the trademark "Gardenworks" which is registered No. 1,797,040, dated October 5, 1993 (the "Trademark"); and

WHEREAS Fresh Intellectual Properties, Inc., of 103 Foulk Road, Suite 202, Wilmington, Delaware 19803, is desirous of acquiring said Trademark and registration.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, said Cincinnati Products, Inc., does hereby assign to the said Fresh Intellectual Properties, Inc., right, title and interest in the Trademark and the aforesaid registration thereof, together with the goodwill of the business connected with the use of and symbolized by said Trademark, as fully and entirely as the same would have been held and enjoyed by Cincinnati Products, Inc., and/or its Affiliates, if this assignment and sale had not been made; together with all claims for damages by reason of past infringement of said Trademark, with the right to sue for and collect the same for its own use and enjoyment and for use and enjoyment of its successors, assigns, or other legal representatives.

CINCINNATI PRODUCTS, INC.

By: 
Joseph M. Gaynor,
President

Dated: February 15, 1999

Int. Cl.: 21

Prior U.S. Cl.: 2

United States Patent and Trademark Office

Reg. No. 1,797,040

Registered Oct. 3, 1993

**TRADEMARK
PRINCIPAL REGISTER**

GARDENWORKS

S. CLIPSON METALWORKING, INC (OHIO
CORPORATION)
127 NOVNER DRIVE
CINCINNATI, OH 45213

FIRST USE 2-14-1993; IN COMMERCE
2-14-1993

SN 74-281,023, FILED 6-3-1992.

FOR: FLOWERPOT HOLDERS; GARDEN
PLANTERS, IN CLASS 21 (U.S. CL. 2)

PETER CATALDO, EXAMINING ATTORNEY