

05-26-1999

D

FORM PTO-1594  
1-31-92

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

5.3.99



EET



101046272

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original document or copy thereof.

1. Name of conveying party(ies):  
**PROVEN WINNERS**

Individual(s)  Association  
 General Partnership  Limited Partnership  
 Corporation-State  
 Other California Joint Venture  
Additional name(s) of conveying party(ies) attached?  Yes  No

2. Name and address of receiving 05-03-1999  
Name: Proven Winners North America U.S. Patent & TMO/c/TM Mail Rcpt Dt. #34  
Internal Address: \_\_\_\_\_  
Street Address: 426 West Second Street  
City Rochester, MI 78307 Country USA  
 Individual(s) citizenship \_\_\_\_\_  
 Association \_\_\_\_\_  
 General Partnership \_\_\_\_\_  
 Limited Partnership \_\_\_\_\_  
 Corporation-State \_\_\_\_\_  
 Other Limited Liability Company - California  
If assignee is not domiciled in the United States, a domestic representative designation is attached:  Yes  No  
(Designation must be separate document from Assignment)  
Additional name(s) & address(es) attached?  Yes  No

3. Nature of Conveyance:  
 Assignment  Merger  
 Security Agreement  Change of Name  
 Other \_\_\_\_\_  
Execution Date: April 23, 1999

4. Application number(s) or registration number(s):  
If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Trademark Application No.(s) 74/583,475; 75/328,081; 75/348,682; 75/348,676; 75/348,681; 75/348,741; 75/348,743 and 75/347,193  
B. Trademark No.(s) 2,207,362; 2,204,668; 1,962,890; 2,048,578; 1,983,465; 1,936,894; 1,950,632; 2,203,868; 2,212,480; 2,212,479; 2,218,361; 2,215,968 and 2,215,967

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:  
Name: James W. McClain  
Internal Address: Brown, Martin, Haller & McClain  
Street Address: 1660 Union Street  
City San Diego State CA Zip 92101

6. Total number of application and trademarks involved: 21

7. Total fee (37 CFR 3.41): ..... \$ 540.00  
 Enclosed  
 Authorized to be charged to deposit account

8. Deposit account number: \_\_\_\_\_  
(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 copy of the original document.*

James W. McClain April 29, 1999  
Name of Person Signing Signature Date

Total number of pages comprising cover sheet: 2

OMB No. 0651-0011 (exp. 4/94)

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

05/25/1999 DNGUYEN 00000117 74583475

Commissioner of Patents and Trademarks  
Box Assignments  
Washington, D.C. 20231

01 FC:481 40.00 DP  
02 FC:482 500.00 DP

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding the burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project, (0651-0011), Washington, D.C. 20503.

TRADEMARK  
REEL: 001901 FRAME: 0908

ATTACHMENT A

PROVEN WINNERS	Registration No. 2,207,362 Issued December 1, 1998
PW and Design	Registration No. 2,204,668 Issued November 24, 1998
SUPERTUNIAS	Registration No. 1,962,890 Issued March 19, 1996
VERA	Registration No. 2,048,578 Issued April 1, 1997
SNOWFLAKE	Registration No. 1,983,465 Issued July 2, 1996
SWEETHEART CASCADE	Registration No. 1,936,894 Issued November 21, 1995
GOLDEN BEAUTY	Registration No. 1,950,632 Issued January 23, 1996
FALL MAGIC	Registration No. 2,203,868 Issued November 17, 1998
NEW WONDER	Registration No. 2,212,480 Issued December 22, 1998
SUGAR BABY	Registration No. 2,212,479 Issued December 22, 1998
ELITE	Registration No. 2,218,361 Issued January 19, 1999
ULTRA	Registration No. 2,215,968 Issued January 5, 1999
MISCELLANEOUS DESIGN	Registration No. 2,215,967 Issued January 5, 1999
BUTTERFLY	Application No. 74/583,475 Filed October 7, 1994
PROVEN ELITE	Application No. 75/328,081 Filed July 21, 1997
BLOOMING VISIONS	Application No. 75/348,682 Filed August 28, 1997
COBBITY	Application No. 75/348,676 Filed August 28, 1997
SUMMER PINK	Application No. 75/348,681 Filed August 28, 1997

SUMMER ANGEL

Application No. 75/348,741  
Filed August 28, 1997

SUMMER MELODY

Application No. 75/348,743  
Filed August 28, 1997

SUGAR & ICE

Application No. 75/347,193  
Filed August 27, 1997

ASSIGNMENT

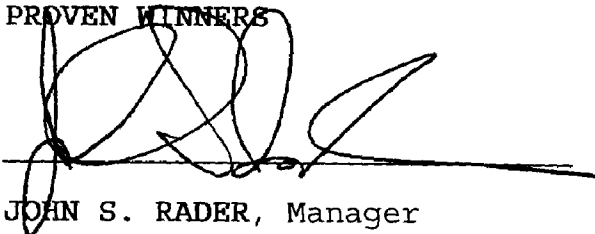
WHEREAS, PROVEN WINNERS, a California joint venture, comprised of Four Star Greenhouse, Inc., a Michigan corporation; EuroAmerican Propagators, Inc., a California corporation; Weidner's Gardens, Inc., a California corporation, and Pleasant View Gardens, a New Hampshire corporation, having a principal place of business at 695 Normandy, Encinitas, California 92024, has adopted, used and is using the marks that are registered in the U.S. Patent and Trademark Office, as shown in ATTACHMENT A attached hereto;

WHEREAS, PROVEN WINNERS NORTH AMERICA, L.L.C., a limited liability company organized in Michigan having a principal place of business at 426 West Second Street, Rochester, Michigan 78307, is desirous of acquiring said marks and the registrations therefor.

NOW, THEREFORE, in consideration of and in exchange for the sum of One (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, PROVEN WINNERS hereby assigns, transfers and sets over unto PROVEN WINNERS NORTH AMERICA, L.L.C. all right, title and interest in and to said marks, together with the goodwill of the business in connection with which the marks are used.

PROVEN WINNERS

Dated: 4/23/99

  
JOHN S. RADER, Manager

ACKNOWLEDGEMENT

STATE OF CALIFORNIA    )  
  ) ss  
COUNTY OF SAN DIEGO    )

On April 23 1999, before me, James W. McClain personally appeared JOHN S. RADER, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged by his signature on the instrument, the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature: 