

08-05-1999

FORM PTO-1584
1-31-92

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office



Tab settings

To the Honorable Comm

1. Name of conveying party:
AgrEvo USA Company

101089388

mkv
1-8-99

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

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

3. Nature of conveyance:

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

Execution Date: September 11, 1998

Attached original documents or copy thereof.

Name: Nihon Nohyaku Co., Ltd.

Internal Address:

Street Address: 2-5 Nihonbashi 1-Chome, Chou-

City: Tokyo, 103 Japan State: ZIP:

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State Tokyo, Japan
- 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 registration number(s):

A. Trademark Application No.(s)

TM

B. Trademark registration No.(s)

Registration Number 1,389,578
for the Mark MONCUT

Additional numbers attached? Yes No

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

Name: Christopher E. Dunne

Internal Address: Bouchard Margules

Friedlander & MaloneyHuss

Street Address: 222 Delaware Avenue

Suite 1102

City: Wilmington State: DE ZIP: 19801

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)

DO NOT USE THIS SPACE

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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.

Christopher E. Dunne

Name of Person Signing

Christopher E. Dunne

Signature

August 4, 1999

Date

Document ID Nos. 101036660 and 100942841A

Total number of pages comprising cover sheet: 12

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

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In re the Matter of
U.S. Trademark Registration No.: 1,389,578
Registered on: April 15, 1996
Mark: MONCUT

Assistant Commissioner
Of Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

DESIGNATION OF DOMESTIC REPRESENTATIVE

Nihon Nohyaku Co., Ltd. hereby designates Christopher E. Dunne, c/o Bouchard, Friedlander & MaloneyHuss, P.A., Suite 1102, 222 Delaware Avenue, Wilmington, Delaware 19801, as its representative upon whom notices or process in proceedings affecting the mark may be served.

Name of Company: Nihon Nohyaku Co., Ltd.

By: 

Title: Manager Commercial Development

Date: 12/29/98

ASSIGNMENT

This ASSIGNMENT made and entered into on this 11 day of September, 1998, by and between AgrEvo USA Company, whose principal office is at Little Falls Centre One, 2711 Centerville Road, Wilmington, Delaware 19808, U.S.A. (hereinafter referred to as "AgrEvo") and Nihon Nohyaku Co., Ltd., whose principal office is at 2-5 Nihonbashi 1-Chome, Chuo-Ku, Tokyo 103, Japan (hereinafter referred to as "Nihon").

WITNESSETH

WHEREAS, AgrEvo is the owner of the mark and registered trademark Moncut in the U.S.A. as set forth in the attached Schedule I (hereinafter referred to as "Trademark"); and

WHEREAS, AgrEvo has successfully developed insecticide products containing flutolanil as the sole active ingredient in various types of formulation (hereinafter "Product") which have been marketed under the trademark Moncut in many countries and has obtained an increasingly good reputation; and

WHEREAS, Nihon desires to own the Trademark as applied to products containing flutolanil as the sole active ingredient in the U.S.A.;

NOW, THEREFORE, in consideration of the sum of Ten (\$10.00) U.S. dollars, the receipt and sufficiency of which are hereby acknowledged, AgrEvo herein, by these presents does sell, assign and transfer unto Nihon, all right, title and interest in and to the Trademark, together with the goodwill associated therewith and symbolized thereby, and the registration thereof, and including the right to sue for past infringement, if any.

IN WITNESS WHEREOF, AgrEvo has executed this Assignment by its duly authorized representative as of the day and year first above written.

SIGNED for and on behalf of
AgrEvo USA Company



W. Leo Ekins, President

Date: 9/11/98

Schedule I

Trademark "MONCUT" Principal register No. 1,389,578

Registered on April 15, 1996

Registered for CHEMICAL COMPOSITION FOR USE IN THE MANUFACTURE OF FUNGICIDES, IN CLASS 1

And for FUNGICIDES FOR AGRICULTURAL USE, IN CLASS 5