

06-25-1999

ENT OF COMMERCE  
t and Trademark Office



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62-10-9 DM

To the Commissioner of Patents and Trademarks: Please record the attach

1. Name of conveying party(ies):  
James Hardie Irrigation, Inc.

Individuals       Association  
 General Partnership       Limited Partnership  
 Corporation-State of Nevada  
 Other: .....

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

2. Name of receiving party(ies):  
The Toro Company  
5825 Jasmine Street  
Riverside, California 92504

3. Nature of conveyance:  
 Assignment       Merger  
 Security Agreement       Change of Name  
 Other: Submission of a new cover sheet to correct an error in the corporate identity of the receiving party for the assignment of the trademark recorded at Reel 1828, Frame 0279.

Execution Date: .....

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

If assignee is not domiciled in the United States, a domestic representative designation is attached:  
 Yes       No  
(Designations must be separate document from Assignment)

Additional name(s) & address(es) attached?  Yes  No

4. Application number(s) or trademark number(s):

A. Trademark Application No.(s)

B. Trademark Reg. No.(s)

1,012,108

5. Name and address of party to whom correspondence concerning document should be mailed:  
Name: Michael L. Mau  
Address: Mau & Krull, P.A.  
Post Office Box 18455  
Minneapolis, MN 55418

6. Total number of applications and trademarks involved: 1

7. Total fee (37 CFR 3.41): \$40.00  
 Enclosed  
 Authorized to be charged to deposit account

8. Please charge any additional fees or credit any overpayments to our Deposit account number: 500549

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.

Michael L. Mau  
Name of Person Signing

*Michael L. Mau*  
Signature

June 16, 1999  
Date

Total number of pages including cover sheet, attachments, and document: 6

Do not detach this portion

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

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

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 this 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.



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12-07-1998

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~~12-22-1998~~

U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office



~~100926247~~

Original documents or copy thereof

Tab settings

To the Honorable Commissioner of Patents and Trademarks

1. Name of conveying party(ies):  
James Hardie Irrigation, Inc.

MED  
12-7-98

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

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

3. Nature of conveyance:

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

Execution Date: \_\_\_\_\_

2. Name and address of receiving party(ies):

Name: The Toro Company, Inc.

Internal Address: \_\_\_\_\_

Street Address: 5825 Jasmine Street

City: Riverside State: CA ZIP: 92504

- 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 registration numbers(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

1,012,108

Additional numbers attached?  Yes  No

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

Name: Richard L. Myers

Internal Address: \_\_\_\_\_

Street Address: 100 Pacifica, Suite 210

City: Irvine State: CA ZIP: 92618

6. Total number of applications and registrations involved: \_\_\_\_\_

1

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

- Enclosed 40E
- Authorized to be charged to deposit account

8. Deposit account number: \_\_\_\_\_

12/18/1998 DNGUYEN 00000229 1012108

DO NOT USE THIS SPACE

FC:481

40.00 0P

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.

Richard L. Myers

Name of Person Signing

*[Signature]* 12/2/98

Signature

TRADEMARK Date

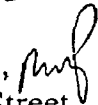
REEL: 001918 FRAME: 0784

## ASSIGNMENT

WHEREAS, James Hardie Irrigation, Inc., a corporation of the State of Nevada, having its place of business at 5825 Jasmine Street, Riverside, California 92504 (hereinafter called "ASSIGNOR"), is sole owner by Certificate of Amendment of Articles of Incorporation of the entire right, title and interest in and to the following described trademark and United States application for registration thereof.

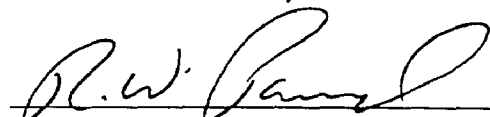
Trademark:           LAWN GENIE  
Registration No.:    1,012,108  
Registration Date:   June 3, 1975

and

WHEREAS, The Toro Company,  a corporation of the State of Delaware, having its place of business at 5825 Jasmine Street, Riverside, California 92504 (hereinafter called "ASSIGNEE"), is desirous of acquiring the entire right, title and interest in and to the aforesaid trademark in the United States of America, and in any and all countries foreign thereto;

NOW, THEREFORE, TO WHOM IT MAY CONCERN, be it known that, for and in consideration of the sum of ONE DOLLAR (\$1.00) paid to Assignor by the said Assignee, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, by these present does sell, assign and transfer unto said Assignee, its successors, assigns and legal representatives, the full and exclusive right, title and interest for the territory of the United States of America and all countries foreign thereto (including the right to apply for trademarks in foreign countries in its own name and to claim any priority rights for such foreign applications to which such applications are entitled under international conventions, treaties or otherwise), in and to the said trademark as described in said application, and in and to all trademark registrations granted thereon, and Assignor hereby authorizes and requests the Commissioner of Patents and Trademarks to issue all Registrations of said trademark resulting therefrom to said Assignee, as assignee of the entire right, title and interest, and Assignor covenants that it has full right so to do and agrees that it will communicate to said Assignee, or its successors, any and all facts known to it regarding said trademark whenever requested and will testify in any legal proceeding, sign all lawful papers, and generally do everything possible to aid said Assignee, its successors and assigns, to obtain and enforce trademark protection for said mark in all countries.

IN TESTIMONY WHEREOF, Assignor has caused these present to be signed by the president thereunto duly authorized as of the 11<sup>th</sup> day of NOVEMBER, 1998.

  
Richard W. Parod, President  
James Hardie Irrigation, Inc.

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE )

TRADEMARK  
Attorney Docket: ATM-5475-TC

On NOVEMBER 11, 1998, before me JANICE R. MOORE, <sup>NOTARY</sup> ~~PUBLIC~~, personally appeared RICHARD W. PARD, personally known to me ~~(or proved to me on the basis of satisfactory evidence)~~ to be the person ~~(s)~~ whose name ~~(s)~~ ~~is~~ are subscribed to the within instrument and acknowledged to me that ~~he~~ ~~she~~ ~~they~~ executed the same in ~~his~~ ~~her~~ ~~their~~ authorized capacity ~~(ies)~~, and that by ~~his~~ ~~her~~ ~~their~~ signature ~~(s)~~ on the instrument the person ~~(s)~~ or the entity upon behalf of which the person ~~(s)~~ acted, executed the instrument.

Witness my hand and official seal.

Signature Janice R. Moore

SEAL Executed this 11<sup>th</sup> day of NOVEMBER, 1998.



SEAL