



101074812

To the Commissioner of Patents and Trademarks: Please

or copy thereof.

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

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

- Individuals
- General Partnership
- Corporation-State of Nevada
- Other: 6-21-99
- Association
- Limited Partnership

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

3. Nature of conveyance:
 Assignment
 Security Agreement
 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 0276.

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

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

Execution Date:

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)

1,208,343

Additional numbers attached? Yes No

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

June 16, 1999

Name of Person Signing

Signature

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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RECORD
TRADE

12-22-1998

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

12-07-1998



100926246

Original documents or copy thereof

U.S. Patent & Trademark Office
U.S. Patent and Trademark Office

1. Name of conveying party(ies): James Hardie Irrigation, Inc. **MRD**
12-7-98

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

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

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other _____

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)
1,208,343

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 00000230 1208343
01 FC:481 40.00 OP

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.

Richard L. Myers
Name of Person Signing

[Signature]
Signature


12/2/98
Date

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.

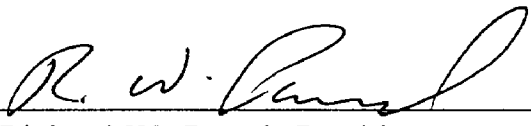
Trademark: DURA-POL
Registration No.: 1,208,343
Registration Date: September 14, 1982

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 11th day of NOVEMBER, 1998.


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

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)

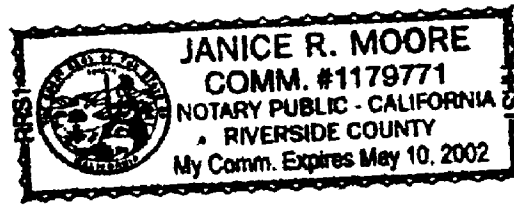
TRADEMARK
Attorney Docket: ATM-5430-TC

On NOVEMBER 11, 1998, before me JANICE R. MOORE, ^{NOTARY} PUBLIC, personally appeared RICHARD W. PARO 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 11th day of NOVEMBER, 1998.



SEAL