



09-12-2000



U.S. Department of Commerce  
Patent and Trademark Office  
**TRADEMARK**

08-02-2000

U.S. Patent & TMO/c/TM Mail Rpt Dt. #57

101454389

*Handwritten initials and numbers: JPD, 8, 2*

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- New
- Resubmission (Non-Recordation)  
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Reel #  Frame #
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#### Conveyance Type

- Assignment  License
- Security Agreement  Nunc Pro Tunc Assignment
- Merger Effective Date  
Month Day Year
- Change of Name
- Other

#### Conveying Party

Mark if additional names of conveying parties attached

Name

Execution Date  
Month Day Year

Formerly

- Individual  General Partnership  Limited Partnership  Corporation  Association
- Other
- Citizenship/State of Incorporation/Organization

#### Receiving Party

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Name

DBA/AKATA

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If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)

09/12/2000 JJALLAH2 00000148 0727604

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**TRADEMARK**  
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Name

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**Trademark Application Number(s) or Registration Number(s)**

Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)

Registration Number(s)

<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

<input type="text" value="0727604"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

**Number of Properties** Enter the total number of properties involved. #

**Fee Amount** Fee Amount for Properties Listed (37 CFR 3.41): \$

Method of Payment: Enclosed  Deposit Account

Deposit Account (Enter for payment by deposit account or if additional fees can be charged to the account.) Deposit Account Number: #

Authorization to charge additional fees: Yes  No

**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. Charges to deposit account are authorized, as indicated herein.

Randel S. Springer  
Name of Person Signing

  
Signature

August 2, 2000  
Date Signed

NOV 24 1999

No. C 7946-89  
*Dean Heller*  
DEAN HELLER, SECRETARY OF STATE

**ARTICLES OF MERGER  
OF  
SEXAUER SEED CO.  
INTO  
AGRIBIOTECH, INC.**

Pursuant to the provisions of N.R.S. 92A.180 and N.R.S. § 92A.200, AgriBioTech, Inc., a Nevada corporation, hereby submits these Articles of Merger for the purpose of merging Sexauer Seed Co., a Nevada corporation and wholly-owned subsidiary of AgriBioTech, Inc., into AgriBioTech, Inc.

**ARTICLE I.**

**Corporations Proposing to Merge and Surviving Corporation**

The name of the merging corporation is Sexauer Seed Co., a Nevada corporation (hereinafter called the "Subsidiary Corporation"); and the name of the corporation which shall be the surviving corporation is AgriBioTech, Inc., a Nevada corporation (hereinafter called the "Parent Corporation").

**ARTICLE II.**

**Adoption of Plan of Merger**

The Plan of Merger set forth in Article IV was duly adopted by the Parent Corporation and the Subsidiary Corporation.

**ARTICLE III.**

**Approval by Shareholders**

Pursuant to N.R.S. § 92A.180, neither the approval of the Shareholders of the Parent Corporation, nor the approval of the Shareholders of the Subsidiary Corporation was required.

**ARTICLE IV.**

**Plan of Merger**

The following Plan of Merger was duly approved on November 15, 1999, in the manner prescribed by law with respect to each of the corporations participating in the Merger:

Section 1. **Corporations Proposing to Merge and Surviving Corporation.** The name of the merging corporation is Sexauer Seed Co., a Nevada corporation (hereinafter called the "Subsidiary Corporation"); and the name of the corporation which shall be the surviving corporation is AgriBioTech, Inc., a Nevada corporation (hereinafter called the "Parent Corporation").

Section 2. Effective Time of Merger. The effective time of the merger shall be November 29, 1999 at 11:59 p.m. E.S.T. (the "Effective Time").

Section 3. Effects of Merger. The Merger shall have the effects set forth in N.R.S. § 92A.250.

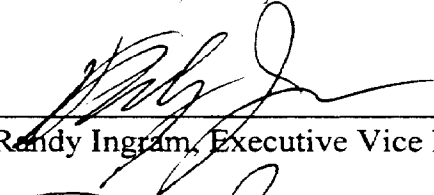
Section 4. Conversion of Shares. Each share of capital stock of the Subsidiary Corporation issued and outstanding at the Effective Time shall, as of the Effective Time, by virtue of the Merger and without any action on the part of the holder thereof, be canceled and extinguished without consideration given therefor. The shares of capital stock of the Surviving Corporation shall continue to be outstanding without change.

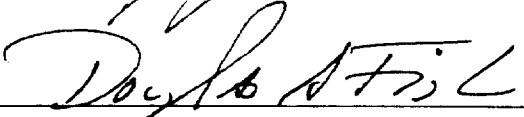
Section 5. Articles of Incorporation and Bylaws. The Articles of Incorporation and the Bylaws of the Surviving Corporation as in effect immediately prior to the Effective Time shall become the Articles of Incorporation and Bylaws of the Surviving Corporation following the Effective Time until changed in accordance with their terms and applicable law.

*[Signature page to follow]*

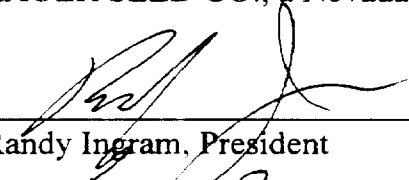
This the 15<sup>th</sup> day of November, 1999.

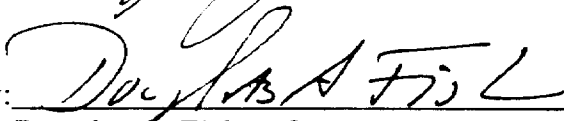
AGRIBIOTECH. INC., a Nevada corporation

By:   
Randy Ingram, Executive Vice President

By:   
Douglas A. Fisher, Secretary

SEXAUER SEED CO., a Nevada corporation

By:   
Randy Ingram, President

By:   
Douglas A. Fisher, Secretary



August 2, 2000


08-02-2000

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #57

Assistant Commissioner for Trademarks  
U.S. Patent & Trademark Office  
Box ASSIGNMENTS, 2900 Crystal Drive  
Arlington, Virginia 22202-3513

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I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office To Addressee," in an envelope addressed to: Assistant Commissioner for Trademarks, U.S. Patent and Trademark Office, Box ASSIGNMENTS, 2900 Crystal Drive, Arlington, VA 22202-3513 on August 2, 2000.

  
Laurie A. Ricci

Re: *Recordation of Trademark Conveyance Document*  
*Our Reference: 16860.0008.3*

Dear Sir or Madam:

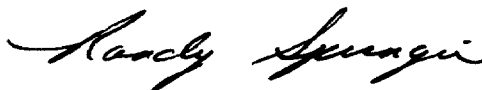
Enclosed for recording against the United States trademark/service mark registrations identified in the enclosed Recordation Form Cover Sheet (Form PTO-1618) is a copy of Articles of Merger. The enclosed conveyance document evidences the assignment of the referenced trademark/service mark registrations from The Sexauer Company, a Nevada corporation, to AgriBioTech, Inc., a Nevada corporation with a business address of 120 Corporate Park Drive, Henderson, Nevada 89014.

Also enclosed is a check from our firm in the amount of \$40.00 in full payment of the filing fee for this recordal. The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee or credit any overpayment to Deposit Account No. 50-0517.

Please send us evidence of the recording of the conveyance document at your earliest convenience. To the best of my knowledge and belief, the information contained in the cover sheet is true and correct. If you should have any questions with regard to the enclosed conveyance document, please feel free to contact the undersigned at the address or telephone number listed above. Please direct all correspondence concerning this request to the undersigned. Thank you in advance for your prompt attention to this matter.

Very truly yours,

WOMBLE CARLYLE SANDRIDGE & RICE  
*A Professional Limited Liability Company*



Randel S. Springer

Enclosures

cc: Robert E. Roman, Esquire