

12-26-2000



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RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

12.7.00

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- ☒ New
- ☐ Resubmission (Non-Recordation)  
Document ID #
- ☐ Correction of PTO Error  
Reel #  Frame #
- ☐ Corrective Document  
Reel #  Frame #

Conveyance Type

- ☒ Assignment ☐ License
- ☐ Security Agreement ☐ Nunc Pro Tunc Assignment
- ☐ Merger
- ☐ Change of Name
- ☐ Other
- Effective Date  
Month Day Year  
11/17/2000

Conveying Party

☐ Mark if additional names of conveying parties attached

Execution Date  
Month Day Year

Name

11/17/2000

Formerly

75222226

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

Receiving Party

☐ Mark if additional names of receiving parties attached

Name

DBA/AK/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

- ☐ Individual ☐ General Partnership ☐ Limited Partnership ☐ 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.)
- ☒ Corporation ☐ Association
- ☐ Other
- ☒ Citizenship/State of Incorporation/Organization

12/22/2000 MTHA11 00000271 75222226

FOR OFFICE USE ONLY

02 FC-482

400.00 DP

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Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

TRADEMARK  
REEL: 002199 FRAME: 0545

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Correspondent Name and Address**

Area Code and Telephone Number

617-951-8000

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Pages**

Enter the total number of pages of the attached conveyance document including any attachments.

#

**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"/> |
| See attached Exhibit A | <input type="text"/> | <input type="text"/> |
| <input type="text"/>   | <input type="text"/> | <input type="text"/> |
| <input type="text"/>   | <input type="text"/> | <input type="text"/> |

|                        |                      |                      |
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| <input type="text"/>   | <input type="text"/> | <input type="text"/> |
| See attached Exhibit A | <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 ☒

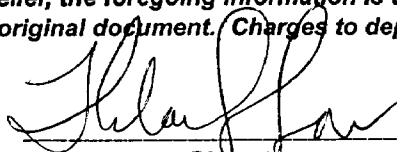
No ☐

**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.

Hilary S. Levin

Name of Person Signing



Signature

12/6/2000

Date Signed

**Exhibit A**

| <u>Trademark</u><br>or<br><u>Service Mark</u> | Registrations --   |                          |
|---|--|--------------------------|
|   | United States Patent and Trademark Office<br><u>Registration No.</u> | <u>Registration Date</u> |
| PENTREX                                       | 0,758,277  | October 15, 1963         |
| OXYGEN-PLUS                                   | 1,044,573  | July 27, 1976            |
| RESTORE                                       | 1,049,315  | October 5, 1976          |
| ATTACK  | 1,411,030  | September 30, 1986       |
| RINGER  | 1,445,809  | July 7, 1987             |
| WINTERSTORE                                   | 1,543,149  | June 13, 1989            |
| RESTORE                                       | 1,681,698  | April 7, 1992            |
| RINGER  | 1,752,093  | February 16, 1993        |
| <i>Design Only</i>                            | 1,793,307  | September 21, 1993       |
| SUPERFAST                                     | 1,889,137  | April 11, 1995           |
| MAGIC START                                   | 1,947,624  | January 9, 1996          |
| SUPREME GARDENS                               | 1,991,749  | August 6, 1996           |
| SYNERPLEX                                     | 2,032,758  | January 21, 1997         |
| SUPERSTOP                                     | 2,037,846  | February 11, 1997        |
| PET PATCH                                     | 2,044,600  | March 11, 1997           |
| WEED-AWAY                                     | 2,164,457  | June 9, 1998             |

| <u>Trademark</u><br>or<br><u>Service Mark</u> | Pending Applications --  |                    |
|---|--|--------------------|
|   | United States Patent and Trademark Office<br><u>Serial No.</u> | <u>Filing Date</u> |
| MOSS-AWAY                                     | 75/222,226   | January 7, 1997    |

## ASSIGNMENT OF TRADEMARKS

ASSIGNMENT OF TRADEMARKS, dated as of November 17, 2000, by General Electric Capital Corporation (the "Lender"), pursuant to a Credit Agreement dated as of May 2, 1997 (as amended and in effect from time to time, the "Credit Agreement"), by and among Verdant Brands, Inc., certain of its subsidiaries (collectively, the "Borrowers") and the Lender.

WHEREAS, the Borrowers and the Lender entered into a Trademark Security Agreement dated as of May 2, 1997 and filed with the United States Patent and Trademark Office on August 18, 1997 at Reel 1628, Frame 0557, and re-recorded to correct the recordation date of August 18, 1997 to June 9, 1997 at Reel 1645, Frame 0180 (as amended from time to time, the "Security Agreement") for the purpose of securing certain obligations of the Borrowers to the Lender;

WHEREAS, pursuant to the Trademark Security Agreement, the Borrowers assigned to the Lender, as security for the Borrower's obligation under the Credit Agreement, all of the Trademarks (as defined in the Trademark Security Agreement), including without limitation the Trademarks identified on Exhibit A attached hereto; and

WHEREAS, the Lender has agreed to assign all of its right, title and interest in the Trademarks identified on Exhibit A attached hereto as herein provided;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged:

The Lender hereby assigns all of its right, title and interest in the Trademarks identified on Exhibit A attached hereto, and the Lender, hereby assigns and transfers to New Safer, Inc., a Delaware corporation, without recourse, all of the Lender's right, title and interest in and to such Trademarks listed on Exhibit A attached hereto and the goodwill thereof, effective as of the date set forth above.

GENERAL ELECTRIC CAPITAL  
CORPORATION

By: Michael J. MK  
Title: Duly Authorized Signatory

Accepted:

NEW SAFER, INC.

By: DEL  
Title: PRESIDENT

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

Before me, the undersigned, a Notary Public in and for the county aforesaid, on this \_\_\_\_ day of November, 2000, personally appeared \_\_\_\_\_ to me known personally, and who, being by me duly sworn, deposes and says that s/he is a \_\_\_\_\_ of General Electric Capital Corporation, and said officer acknowledged said instrument to be the free act and deed of said bank.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF NEW YORK )  
 )  
COUNTY OF NEW YORK )

Before me, the undersigned, a Notary Public in and for the county aforesaid, on this 17th day of November, 2000, personally appeared Harry E. Whaley to me known personally, and who, being by me duly sworn, deposes and says that ~~he~~ is a President of New Safer, Inc., and said officer acknowledged said instrument to be the free act and deed of said corporation.

John C. Sorensen  
Notary Public  
My Commission Expires:

**JOHN C. SORENSEN**  
Notary Public, State of New York  
No. 31-4881109  
Qualified in New York County  
Commission Expires Dec. 29, ~~1996~~ 2000