

01-23-2001

FORM PTO-1594



Docket No. 10/VGG/H320

101590742

HEET

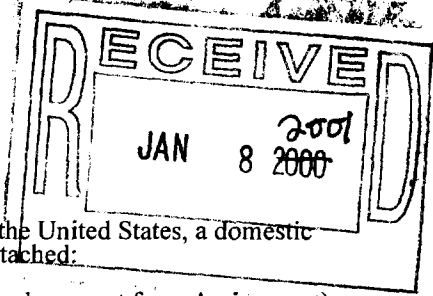
Box Assignment
Commissioner of Patents and Trademarks
Washington, D.C. 20231

1-801

Post Office Box 7068
Pasadena, CA 91109-7068

Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof:

<p>1. Name of conveying party(ies): Hines Horticulture, Inc.</p> <p><input type="checkbox"/> Individual(s) <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Other <input type="checkbox"/> Exists Under Laws of</p> <p>Additional name(s) of conveying party(ies) attached: No.</p>	<p>2. Name and address of receiving party(ies): Name: Hines Nurseries, Inc. Street Address: 12621 Jeffrey Road, Irvine, California 92620-2101</p> <p><input type="checkbox"/> Individual(s) citizenship <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Other: <input type="checkbox"/> Exists Under Laws of</p> <p>If assignee is not domiciled in the United States, a domestic representative designation is attached: (Designation must be a separate document from Assignment). Additional name(s) & address(es) attached?</p>
<p>3. Name of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other:</p> <p>Execution Date: December 21, 2000</p>	<p>4. A. Trademark Application No.(s) 75/436,798; 75/546,940; 75/643,367; 75/647,835; 75/793,811; 75/827,230; 76/040,971; 76/048,315; 76/050,279</p> <p>4. B. Trademark Registration No.(s) 1,203,261; 1,389,329; 1,551,517 1,575,370; 1,601,244; 1,615,964, 1,668,727; 1,705,287; 1,714,001; 1,743,423; 1,764,767; 1,775,403; 1,800,226; 1,865,914; 1,943,943; 1,944,103; 1,948,705; 1,950,721; 1,977,371; 1,986,693; 2,023,084; 2,046,082; 2,077,119; 2,103,789; 2,106,494; 2,256,601; 2,373,658</p> <p>Additional numbers attached? No.</p>
<p>5. Please return the recorded document and address all correspondence to: CHRISTIE, PARKER & HALE, LLP P.O. Box 7068 Pasadena, CA 91109-7068 Attention: Vincent G. Gioia</p>	<p>6. Total number of applications or registrations involved..... 36</p> <p>7. <input checked="" type="checkbox"/> Total fee enclosed (37 CFR 3.41): \$ 915.00</p> <p>8. <input checked="" type="checkbox"/> Any deficiency or overpayment of fees should be charged or credited to Deposit Account No. 03-1728, except for payment of issue fees required under 37 CFR § 1.18. Please show our docket number with any credit or charge to our Deposit Account.</p>
<p>10. <input type="checkbox"/> Explanatory letter is enclosed.</p>	
<p>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. Date: January 2, 2001</p> <p>By <u>Vincent G. Gioia</u> Name: Vincent G. Gioia 626/795-9900</p> <p>Total number of pages including cover sheet, attachments, and document: 4</p>	



01/22/2001 DBYRNE 00000151 75436798
01 FC:481 40.00 OP
02 FC:482 875.00 OP

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YDM IRV1041290.1*-1/2/01 12:52 PM

TRADEMARK ASSIGNMENT

WHEREAS, HINES HORTICULTURE, INC., a California corporation, having a place of business at 12621 Jeffrey Road, Irvine, California 92620-2101 ("ASSIGNOR" herein), has used and is the owner of the trademarks as protected by: see attached Schedule.

WHEREAS, HINES NURSERIES, INC., a California corporation, having a place of business at 12621 Jeffrey Road, Irvine, California 92620-2101 ("ASSIGNEE" herein), desires to acquire said marks and the above-identified registrations/applications thereof, together with the goodwill of the business in connection with which said marks are used.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, ASSIGNOR does hereby assign unto said ASSIGNEE all right, title and interest in and to the following trademarks and the above-identified registrations thereof, and all rights and privileges pertaining to said marks, together with the goodwill of the business symbolized by the marks.

ASSIGNOR further agrees that it shall render all reasonable assistance to ASSIGNEE, and will, from time-to-time, execute all instruments and documents necessary to maintain, preserve or protect the marks and registrations, and to perfect the record title of ASSIGNEE in and to said mark and registration.

HINES HORTICULTURE, INC.

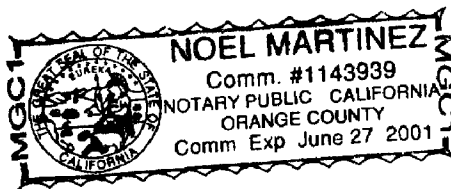
By *Kirsten Judd*
Kirsten Judd
Vice President

Date 12/21/00

STATE OF CALIFORNIA)
COUNTY OF ORANGE)

On 12/21/00, before me NOEL MARTINEZ, Notary Public, personally appeared **Kirsten Judd**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Noel Martinez
Signature of Notary

SCHEDULE**Registered Trademarks**

Registration No.	Issued Date	Mark	Docket No.
1,203,261	08/03/82	AMERICAN GARDEN	H320:32176
1,389,329	04/08/86	(Miscellaneous Design)	H320:32178
1,551,517	08/08/89	HINES GOLD	H320:25062
1,575,370	01/02/90	SIGNATURE SERIES	
1,601,244	06/12/90	HINES and design (leaf)	H320:25068
1,615,964	10/02/90	WINTER PRIDE	H320:25063
1,668,727	12/17/91	Design only	
1,705,287	08/04/92	GULF GREEN	H320:25064
1,714,001	09/08/92	HINES H and design	H320:25061
1,743,423	12/29/92	OREGON GARDEN PRODUCTS	H320:29647
1,764,767	04/13/93	LITTLE NICKY	H320:25066
1,775,403	06/08/93	PINK LEMONADE	H320:25067
1,800,226	10/19/93	BAY BREEZE	H320-25065
1,865,914	12/06/94	CAMEO	H320:26035
1,943,943	12/26/95	FESTIVAL POT	H320:27526
1,944,103	12/26/95	PATIO TROPICS	H320:27008
1,948,705	01/06/96	IVORY CARPET	H320:27568
1,950,721	01/23/96	FREEDOM SERIES	H320:27368
1,977,371	05/28/96	MELLOW YELLOW	H320:27366
1,986,693	07/16/96	DAWN CREEPER	H320:27569
2,023,084	12/17/96	HINES NURSERIES BRINGS THE BEST OF THE WORLD'S GARDENS TO YOU	H320:27933
2,046,082	03/18/97	PATIO PALLET	H320:29092

Registration No.	Issued Date	Mark	Docket No.
2,077,119	07/08/97	MARION RED ROBIN	H320:28114
2,103,789	10/07/97	PLUM DELIGHT	H320:27537
2,106,494	10/21/97	BEST OF THE WORLD'S GARDENS	H320-29158
2,256,601	06/29/99	HINES HORTICULTURE	H320:29367
2,373,658	08/01/00	HONEYDEW	H320:32791

Pending Trademark Applications

Serial Number	Filing Date	Title	Docket Number
75/436,798	02/19/98	SUMMER GOLD	H320:32099
75/546,940	09/01/98	GARDEN TO VASE	H320:32749
75/643,367	02/17/00	GARDEN PARTY	H320:34112
75/647,835	02/25/99	CANDY COLLECTION	H320:34035
75/793,811	09/07/99	BLUE MOON	H320:35777
75/827,230	10/19/99	WE'VE GOT YOU COVERED	H320:36110
76/040,971	05/01/00	MARDI GRAS	H320:37623
76/048,315	05/15/00	HINES COLOR	H320:37508
76/050,279	05/17/00	HINES PERENNIALS	H320:37509

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