

07-13-2001

FORM PTO-1595
1-31-92

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U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

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To the Director of Patents and Trademarks. Please

pay thereof.

1. Name of Conveying Party(ies):
Jackson & Perkins Company

- Individual(s)
- General partnership
- Corporation- Delaware
- Other << type of organization >>
- Association
- Limited Partnership

Additional name(s) of conveying party(ies) attached? YES NO

3. Nature of Conveyance:

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

Execution Date: June 29, 2001

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

Name: Jackson & Perkins Wholesale, Inc.

Internal Address:

Street Address: 2518 South Pacific Highway
City Medford State OR ZIP 97501

- Individual(s) Citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State Delaware
- Other << type of organization >>

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No

(Designation must be a separate document from Assignment)

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

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

A. Trademark Application No.(s)
176080

B. Trademark Registration No.(s)
1726052

Additional numbers attached? Yes No

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

Name: Kenneth S. Klarquist
Klarquist Sparkman Campbell Leigh & Whinston, LLP

Internal Address:

One World Trade Center, Suite 1600

Street Address:

121 S.W. Saimon Street

Portland, Oregon 97204-2988

6. Total number of applications and registrations involved: 1

7. Total fee (37 C.F.R. § 3.41): \$40.00

- Enclosed
- Any deficiency/overpayment is authorized to be charged to deposit account. A copy of this sheet is enclosed.

8. Deposit account number: 02-4550

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.

Kenneth S. Klarquist

June 29, 2001

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments and document: 2

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TRADEMARK
REEL: 002327 FRAME: 0790

ASSIGNMENT

WHEREAS, Jackson & Perkins Company, a Delaware corporation, having its principal place of business at 2518 South Pacific Highway, Medford, Oregon 97501, is the registered owner of United States Trademark Registration No. 1,726,052, registered October 20, 1992, covering the mark EMBLEM; and

WHEREAS, Jackson & Perkins Wholesale, Inc., a Delaware corporation, having offices at 2518 South Pacific Highway, Medford, Oregon 97501, is desirous of acquiring said mark and the registration therefor;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, said Jackson & Perkins Company does hereby sell, assign, transfer and set over unto the said Jackson & Perkins Wholesale, Inc. all rights, title and interest in and to the said trademark, together with the good will of the business symbolized by the mark and the registration therefor.

THIS ASSIGNMENT dated and effective as of June 29, 2001.

JACKSON & PERKINS COMPANY

Date: June 29, 2001

By: *Joe Foley*
Joe Foley
Senior Vice President

STATE OF OREGON)
) ss.
COUNTY OF JACKSON)

On this 29th day of June, 2001, before me personally came the above-named Joe Foley, who executed the foregoing instrument in my presence, and who acknowledged to me that he executed the same of his own free will for the purposes set forth.

Janiece A. Newell
Notary Public for Oregon
My Commission expires: Nov. 21, 2001

[SEAL]

