

07-20-2001

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FORM PTO-1595
1-31-92

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office



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To the Director of Patents and Trademarks. Plea

original documents or copy thereof.

1. Name of Conveying Party(ies):
Bear Creek Gardens, Inc.

- Individual(s) Association
- General partnership Limited Partnership
- Corporation- Delaware **7-201**
- Other

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

3. Nature of Conveyance:

- Assignment Merger
- Security Agreement Change of Name
- Other

Execution Date: October 18, 2000

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

Name: Jackson & Perkins Wholesale, Inc.

Internal Address:

Street Address: 2518 South Pacific Highway

City Medford State Oregon ZIP 97501

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

(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)

See Schedule A (attached)

B. Trademark Registration No.(s)

See Schedule A (attached)

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. Salmon Street

Portland, Oregon 97204-2988

6. Total number of applications and registrations involved: 21



07-02-2001

U.S. Patent & TMO/TM Mail Rcpt Dt. #34

7. Total fee (37 C.F.R. § 3.41): \$540.00

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

Name of Person Signing

Signature

June 29, 2001

Date

Total number of pages including cover sheet, attachments and document: 4

07/19/2001 6TOM11 00000150 1464781

01 FC:481
02 FC:482

40.00 DP
500.00 DP

TRADEMARK
REEL: 002332 FRAME: 0637

9

U.S. TRADEMARK REGISTRATIONS

<u>MARK</u>	<u>REGISTRATION DATE</u>	<u>REGISTRATION NO.</u>
SIGNATURE	11/10/1987	1464781
PINSTRIFE	6/27/1989	1545549
MINI BRITE	10/31/1989	1563640
FIRE 'N ICE	12/12/1989	1571204
ARMSTRONG ROSES	5/01/1990	1594473
ARMSTRONG	5/29/1990	1598851
HERITAGE	11/20/1990	1623904
DALLAS	9/14/1993	1792826
FRAGRANT MEMORY	3/14/1995	1883804
MOON SHADOW	6/03/1997	2066715
SIGNATURE	11/25/1997	2116322
ROSE BLANKET	2/24/1998	2139121
MEGA BRITE	4/07/1998	2149747
MIDI BRITE	4/28/1998	2154211
COSMIC FIESTA	7/07/1998	2171860
NEW GENERATION ROSES	11/10/1998	2202996
BRITE	3/30/1999	2236062
GARDEN EASE	6/08/1999	2251998
KORDANA	8/10/1999	2268422
LEAF DESIGN	12/07/1999	2299032

U.S. TRADEMARK APPLICATIONS

<u>MARK</u>	<u>FILING DATE</u>	<u>APPLICATION NO.</u>
RW	10/03/2000	76/140984

SCHEDULE A – PAGE 1 OF 1

Office of the Secretary of State

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "BEAR CREEK GARDENS, INC.", CHANGING ITS NAME FROM "BEAR CREEK GARDENS, INC." TO "JACKSON & PERKINS WHOLESALE, INC.", FILED IN THIS OFFICE ON THE EIGHTEENTH DAY OF OCTOBER, A.D. 2000, AT 9 O'CLOCK A.M.



A handwritten signature in black ink, appearing to read "Edward J. Freel".

Edward J. Freel, Secretary of State
AUTHENTICATION: 0869663

DATE: 12-20-00

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001612107

TRADEMARK
REEL: 002332 FRAME: 0639

CERTIFICATE OF AMENDMENT OF CERTIFICATE OF INCORPORATION

OF

BEAR CREEK GARDENS, INC.

It is hereby certified that:

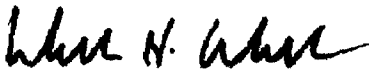
1. The name of the corporation (hereinafter called the "corporation") is Bear Creek Gardens, Inc.

2. The certificate of incorporation of the corporation is hereby amended by striking out Article One thereof and by substituting in lieu of said Article the following new Article:

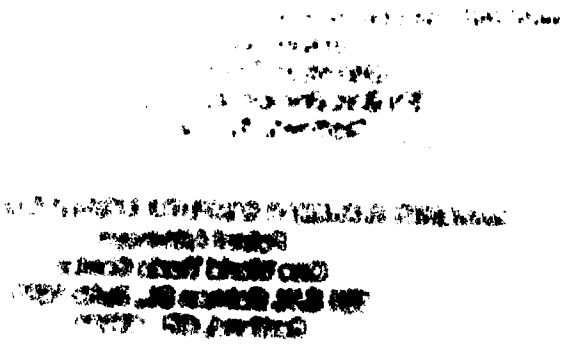
"Article One: The name of the corporation is Jackson & Perkins Wholesale, Inc."

3. The amendment of the certificate of incorporation herein certified has been duly adopted and written consent has been given in accordance with the provisions of Sections 228 and 242 of the General Corporation Law of the State of Delaware.

Signed on



William H. Williams, President and Chief Executive Officer



STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 09:00 AM 10/18/2000
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