



08-15-2001



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TRADEMARKS ONLY

U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

Form PTO-159  
(Rev. 03/01)  
OMB No. 0651-0027 (exp. 5/31/2002)  
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To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

SUPHERB FARMS

7-2-01

- Individual(s)
- General Partnership
- Corporation-State
- Other
- 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: 01/08/99

2. Name and address of receiving party(ies)

Name: Union Bank of California, NA

Internal Address: 4-957-492

Street Address: PO Box 30115

City: Los Angeles State: CA Zip: 90030-0115

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State
- Other

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

B. Trademark Registration No.(s) 1 823 860

Additional number(s) attached  Yes  No

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

Name: Union Bank of California, NA

Internal Address: 4-957-492

Street Address: PO Box 30115

City: Los Angeles State: CA Zip: 90030-0115

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41).....\$

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

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.

KAREN SUE MYERS  
Name of Person Signing

*K. Myers*  
Signature

1/20/01  
Date

Total number of pages including cover sheet, attachments, and document: 3

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patent & Trademarks, Box Assignments  
Washington, D.C. 20231

08/15/2001 TDIAZ1 00000010 1823860

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**SUPHERB FARMS**

EXHIBIT A TO UCC FINANCING STATEMENT

THIS EXHIBIT A is attached to and made a part of that certain UCC Financing Statement executed by SupHerb Farms, a California general partnership ("Debtor") in favor of Union Bank of California, N.A. ("Bank").

For value received and in consideration of advances, present and future, and other obligations, Debtor hereby grants Bank a security interest in all of the following property:

All accounts, deposit accounts, instruments, chattel paper, documents, inventory (including, without limitation, all inventory stored at the warehouses listed on Schedule 1 attached hereto), equipment, furniture, fixtures, and general intangibles and other personal property (including, without limitation, any and all choses or things in action, reports, catalogs, blueprints, drawings, customer lists, purchase orders, registered or unregistered patents, patent applications, inventions, techniques, processes, registered or unregistered trademarks, including that certain trademark for SupHerb Farms registered with the U.S. Patent and Trademark Office as Registration No. 1,823,860, trademark applications, trade names, trade secrets and other proprietary rights, goodwill, registered or unregistered copyrights, copyright applications, and licenses, including, without limitation, Debtor's rights under the following agreements: Darbonne License Agreement made as of March 1, 1992, as amended to be effective as of March 29, 1992, Sodiape Trademark License Agreement made as of March 1, 1992, as amended to be effective as of March 29, 1992, McCormick Trademark License Agreement made as of March 1, 1992, as amended to be effective as of March 29, 1992, and Technology Transfer Agreement made as of March 1, 1992, as amended to be effective as of March 29, 1992), now or hereafter owned or acquired by Debtor, and all proceeds, products, additions, accessions, substitutions, replacements, parts, accessories and insurance proceeds of the foregoing, all guarantees and other security therefor, and all of Debtor's present and future books and records relating thereto (including computer-stored information and all software relating thereto) and all contract rights with third parties relating to the maintenance of any such books, records and information.

**SUPHERB FARMS**

EXHIBIT A TO UCC FINANCING STATEMENT

THIS EXHIBIT A is attached to and made a part of that certain UCC Financing Statement executed by SupHerb Farms, a California general partnership ("Debtor") in favor of Union Bank of California, N.A. ("Bank").

For value received and in consideration of advances, present and future, and other obligations, Debtor hereby grants Bank a security interest in all of the following property:

All accounts, deposit accounts, instruments, chattel paper, documents, inventory (including, without limitation, all inventory stored at the warehouses listed on Schedule 1 attached hereto), equipment, furniture, fixtures, and general intangibles and other personal property (including, without limitation, any and all choses or things in action, reports, catalogs, blueprints, drawings, customer lists, purchase orders, registered or unregistered patents, patent applications, inventions, techniques, processes, registered or unregistered trademarks, including that certain trademark for SupHerb Farms registered with the U.S. Patent and Trademark Office as Registration No. 1,823,860, trademark applications, trade names, trade secrets and other proprietary rights, goodwill, registered or unregistered copyrights, copyright applications, and licenses, including, without limitation, Debtor's rights under the following agreements: Darbonne License Agreement made as of March 1, 1992, as amended to be effective as of March 29, 1992, Sodiape Trademark License Agreement made as of March 1, 1992, as amended to be effective as of March 29, 1992, McCormick Trademark License Agreement made as of March 1, 1992, as amended to be effective as of March 29, 1992, and Technology Transfer Agreement made as of March 1, 1992, as amended to be effective as of March 29, 1992), now or hereafter owned or acquired by Debtor, and all proceeds, products, additions, accessions, substitutions, replacements, parts, accessories and insurance proceeds of the foregoing, all guarantees and other security therefor, and all of Debtor's present and future books and records relating thereto (including computer-stored information and all software relating thereto) and all contract rights with third parties relating to the maintenance of any such books, records and information.



**UCC FINANCING STATEMENT**

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER (optional)

B. SEND ACKNOWLEDGMENT TO: (Name and Address)

ATTN CLD 4-957-492 WONG 65064  
 UNION BANK OF CALIFORNIA, N.A.  
 PO BOX 30115  
 LOS ANGELES CA 90030-0115

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1. DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (1a or 1b) - do not abbreviate or combine names

1a. ORGANIZATION'S NAME  
**SUPHERB FARMS**

OR

1b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

1c. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY

**300 DIANNE DRIVE TURLOCK CA 95380 USA**

1d. TAX ID#: SSN OR EIN ADD'NL INFO RE ORGANIZATION DEBTOR 1e. TYPE OF ORGANIZATION 1f. JURISDICTION OF ORGANIZATION 1g. ORGANIZATIONAL ID#, if any

**94-3149442 DEBTOR GENERAL PARTNERSHIP CALIFORNIA**  NONE

2. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (2a or 2b) - do not abbreviate or combine names

2a. ORGANIZATION'S NAME

OR

2b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

2c. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY

2d. TAX ID#: SSN OR EIN ADD'NL INFO RE ORGANIZATION DEBTOR 2e. TYPE OF ORGANIZATION 2f. JURISDICTION OF ORGANIZATION 2g. ORGANIZATIONAL ID#, if any

NONE

3. SECURED PARTY'S NAME (or NAME of TOTAL ASSIGNEE of ASSIGNOR S/P) - insert only one secured party name (3a or 3b)

3a. ORGANIZATION'S NAME  
**UNION BANK OF CALIFORNIA, N.A.**

OR

3b. INDIVIDUAL'S LAST NAME FIRST NAME MIDDLE NAME SUFFIX

3c. MAILING ADDRESS CITY STATE POSTAL CODE COUNTRY

**P.O. BOX 30115 LOS ANGELES CA 90030-0115 USA**

4. This FINANCING STATEMENT covers the following collateral:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

WASHINGTON

5. ALTERNATIVE DESIGNATION (if applicable):  LESSEE/LESSOR  CONSIGNEE/CONSIGNOR  BAILEE/BAILOR  SELLER/BUYER  AG. LIEN  NON-UCC FILING

6.  This FINANCING STATEMENT is to be filed (for record) (or recorded) in the REAL ESTATE RECORDS. Attach Addendum if applicable 7. Check to REQUEST SEARCH REPORT(S) on Debtor(s) ADDITIONAL FEE (optional)  All Debtors  Debtor 1  Debtor 2

8. OPTIONAL FILER REFERENCE DATA  
**SUPHERB FARMS**