

FORM PTO-1618A
Expires 08/30/99
OMB 0651-0027

U.S. Department of Commerce
Patent and Trademark Office
TRADEMARK

**RECORDATION FORM COVER SHEET
TRADEMARKS ONLY**

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
Effective Date
Month Day Year
- Merger
- Change of Name
- Other

Conveying Party

Mark if additional names of conveying parties attached

Name

Execution Date
Month Day Year

Formerly

- 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/AKA/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

FOR OFFICE USE ONLY

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

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

TRADEMARK

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REEL: 002366 FRAME: 0218

FORM PTO-1618B
Expires 08/30/99
OMB 0651-0027

U.S. Department of Commerce
Patent and Trademark Office
TRADEMARK

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

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" value="76/232,894"/>	<input type="text" value="76/147,599"/>	<input type="text" value="75/763,843"/>	<input type="text" value="1,987,499"/>	<input type="text" value="1,442,356"/>	<input type="text" value="1,057,871"/>
<input type="text" value="76/231,536"/>	<input type="text" value="75/784,577"/>	<input type="text"/>	<input type="text" value="1,644,564"/>	<input type="text" value="1,299,790"/>	<input type="text" value="1,045,011"/>
<input type="text" value="76/196,668"/>	<input type="text" value="75/784,264"/>	<input type="text"/>	<input type="text" value="1,445,462"/>	<input type="text" value="1,299,789"/>	<input type="text" value="741,434"/>

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.

Cheryl M. Smukowski

Cheryl M. Smukowski

November 9, 2001

Name of Person Signing

Signature

Date Signed

Foster & Gallagher, Inc.
To
ST Transition LLC

Schedule of Additional Trademarks

<u>Reg. No.</u>	<u>Mark</u>
732,289	STARKRIMSON
663,618	STARK
573,835	STARKING
318,659	LUTHER BURBANK & Design
319,519	JON-A-RED
115,549	STARK TREES BEAR FRUIT & Design
2,416,591	DOUBLE DELICIOUS

FOSTER & GALLAGHER, INC.

(LOT I)

ASSIGNMENT OF TRADEMARKS/SERVICE MARKS

Whereas Foster & Gallagher, Inc., an Illinois Corporation with offices at 1950 Waldorf N.W., Grand Rapids, Michigan 49950, Attention: Lawrence M. Adelman, has adopted and used the trademarks and/or service marks described as the "Marks" on Schedule A attached hereto; some of which Marks may be the subject of pending applications with the United States Patent and Trademark Office, some of which Marks may be the subject of registrations with the United States Patent and Trademark Office, some of which Marks may be the subject of pending applications with foreign trademark offices and some of which Marks may be the subject of registrations with foreign trademark offices, as more specifically described on Schedule A, and

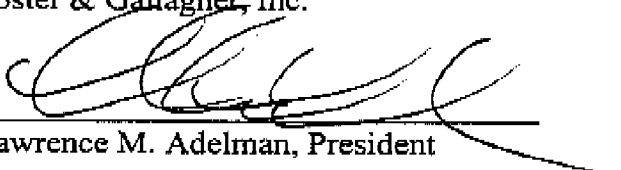
Whereas ST Transition LLC, a Delaware Limited Liability Company with a mailing address of 7602 Hyland Lane, Guilford, Indiana 47022, c/o Mr. Niles Kinerk, is desirous of acquiring said Marks and the goodwill associated therewith.

Now, therefore, for good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, Foster & Gallagher, Inc. does hereby fully assign, transfer, and release unto ST Transition LLC all of its right, title, and interest in and to the said Marks, including, but not limited to, all of its right, title, and interest in and to any pending applications and registrations for such Marks, together with the goodwill of the business symbolized by the Marks.

Foster & Gallagher, Inc. further assigns, transfers, and releases to ST Transition LLC any and all claims for damages by reason of past, present, or future continuing infringement of said Marks, and the right to sue for and collect the same for its own use and benefit and that of its successors, assigns, or other legal representatives.

As of
Date: October 26, 2001

Foster & Gallagher, Inc.

By: 
Lawrence M. Adelman, President

170304

**SCHEDULE A
(LOT I)**

OWNER: Foster & Gallagher, Inc.
Illinois Corporation

MARK	STATUS	REG NUMBER	REG DATE	SERIAL NUMBER	FILE DATE	COUNTRY
SPIRE	REG	1987499	07/16/1996	74/514542	04/20/1994	USA
REGAL GALA	REG	1644564	05/14/1991	74014515	12/27/1989	USA
IMPERIAL GALA	REG	1613159	09/11/1990	74/014508	12/27/1989	USA
STARK GALA	REG	1445462	06/30/1987	73/560989	10/01/1985	USA
ROYAL GALA	REG	1442356	06/09/1987	73/560985	10/01/1985	USA
DIXIERED	REG	1299790	10/09/1984	73/424046	05/02/1983	USA
ULTRASTRIPE	REG	1299789	10/09/1984	73/424045	05/02/1983	USA
STARK BRO'S STARK TREES BEAR FRUIT. SINCE 1816 with design	REG	1057871	02/01/1977	73/071590	12/12/1975	USA
STARK BRO'S with design	REG	1045011	07/27/1976	73/071589	12/12/1975	USA
STARKSPUR	REG	741434	12/04/1962	72/138243	02/19/1962	USA
STARKRIMSON	REG	732289	06/05/1962	72/065021	12/29/1958	USA
STARK	REG	663618	07/01/1958	72031422	06/05/1957	USA
STARKING	REG	573835	04/28/1953	71/631443	06/19/1952	USA
LUTHER BURBANK with design	REG	318659	10/30/1934	71/353187	06/26/1934	USA
JON-A-RED	REG	319519	11/27/1934	71/353186	06/26/1934	USA
STARK TREES BEAR FRUIT with design	REG	115549	02/20/1917	71/093030	02/21/1916	USA
STARK KWIK KROP	PENDNG			76/232894	03/29/2001	USA
STARK CUSTOM GRAFT	PENDNG			76/231536	03/27/2001	USA
STARK MOTHER LODE	PENDNG			76/196668	01/15/2001	USA
EZ-STARTS	PENDNG			76/147599	10/16/2000	USA
STARK HARVEST LEADER	PENDNG			75/784577	08/25/1999	USA
STARK MOTHER LODE	PENDNG			75/784264	01/16/2001	USA
STARK SUPREME TREE	PENDNG			75/763843	07/29/1999	USA
DOUBLE DELICIOUS	REG	2416591	12/26/2000	75/763329	07/29/1999	USA

STARK	PENDNG		2001014971	01/31/2001	CHINA P.R.
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