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U.S. DEPARTMENT OF COMMERCE
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Form PTO-1594
(Rev. 03/01)
OMB No. 0651-0027 (exp. 5/31/2002)
Tab settings



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To the Honorable Commissioner of Patents and Trademarks
and original documents or copy thereof.

1. Name of conveying party(ies):
Foster & Gallagher, Inc.
 Individual(s) Association
 General Partnership Limited Partnership
 Corporation-State Illinois
 Other _____
Additional name(s) of conveying party(ies) attached? Yes No

2. Name and address of receiving party(ies)
Name: Scarlet Tanager Holdings I LLC
Internal
Address: c/o Niles Kinerk
Street Address: 7602 Hyland Lane
City: Guilford State: Indiana Zip: 47022
 Individual(s) citizenship _____
 Association _____
 General Partnership _____
 Limited Partnership _____
 Corporation-State _____
 Other Limited Liability Company-Delaware
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

3. Nature of conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other _____
Execution Date: October 26, 2001

4. Application number(s) or registration number(s):
A. Trademark Application No.(s)
B. Trademark Registration No.(s) 2017185, 1837250, 2383980, 2170696, 2170697
Additional number(s) attached Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:
Name: Candace Lynn Bell, Esq.
Internal Address: Kavinoky & Cook, LLP
Street Address: 120 Delaware Avenue
City: Buffalo State: New York Zip: 14202

6. Total number of applications and registrations involved: 5
7. Total fee (37 CFR 3.41).....\$ 140.00
 Enclosed
 Authorized to be charged to deposit account for underpayment
8. Deposit account number:
50-1024
(Attach duplicate copy of this page if paying by deposit account)

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.
Candace Lynn Bell, Esq.
Name of Person Signing [Signature] Signature November 1, 2001 Date
Total Number of pages including cover sheet, attachments, and document: 5

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

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TRADEMARK
REEL: 002404 FRAME: 0259

12/07/2001 LWELER 00069012 2017105
NO. OF DP
100.00 DP

FOSTER & GALLAGHER, INC.

(LOT H)

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 Scarlet Tanager Holdings I 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 Scarlet Tanager Holdings I 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 Scarlet Tanager Holdings I 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.

Date: *As of:* October 26, 2001

Foster & Gallagher, Inc.

By: 
Lawrence M. Adelman, President

170367

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TRADEMARK
REEL: 002404 FRAME: 0260

STATE OF NEW YORK)
)SS.:
COUNTY OF NEW YORK)

On the 25 day of October, 2001 before me the undersigned, personally appeared Lawrence M. Adelman, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity as President of Foster & Gallagher, Inc., and that by his signature on the instrument Foster & Gallagher, Inc. executed the instrument, and that Lawrence M. Adelman made such appearance before the undersigned in the City of New York and State of New York.

Marilyn Cohen
Notary Public

MARLYN COHEN
Notary Public, State of New York
No. 01CC6026205
Qualified in Queens County
Commission Expires April 11, 2002

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TRADEMARK
REEL: 002404 FRAME: 0261

SCHEDULE A
(LOT H)

OWNER: Foster & Gallagher, Inc.
Illinois Corporation

MARK	STATUS	REG NUMBER	REG DATE	SERIAL NUMBER	FILE DATE	COUNTRY
THE PERENNIAL-MART	REG	2017185	11/19/1996	74/702086	07/17/1995	USA
WONDERX	REG	1837250	05/17/1994	74/364181	03/01/1993	USA
SPRING HILL PRESENTS HEALTHFUL SECRETS	REG	2383980	09/05/2000	75/543400	08/27/1998	USA
SPRING HILL NURSERIES	REG	2170696	07/07/1998	75/105602	05/17/1996	USA
SPRING HILL NURSERIES with tulip design	REG	2170697	07/07/1998	75/105799	05/17/1996	USA
SPRING HILL NURSERIES				2001014976	01/31/2001	CHINA P.R.
SPRING HILL NURSERIES				2001011617	01/19/2001	CHINA P.R.
SPRING HILL	REG	4212379	11/20/1998	70678/95	07/12/1995	JAPAN
PERENNIAL MART						
SPRING HILL'S PINK FREEDOM						
SPRING HILL'S RED FREEDOM						

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RECORDED: 11/01/2001

**TRADEMARK
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