

02-01-2002



Form PTO-1594 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002)

101967355

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

Tab settings

To the Honorable Commissioner of Patents and Trademarks; Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): 1-18-02 ING (U.S.) Capital Corporation

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

Additional name(s) of conveying party(ies) attached? Yes No

- Assignment, Merger, Security Agreement, Change of Name, Other Release of Security Interest

Execution Date: May 29, 1998 (Trademarks)

2. Name and address of receiving party(ies) Name: Pursell Industries, Inc.

Internal Address:

Street Address: 201 West Fourth St.

City: Sylacauga State: AL Zip: 35150

- 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 (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)

See Attached Schedule

Additional number(s) attached Yes No

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

Name: Seth Traxler, Esq.

Internal Address: Kirkland & Ellis

Street Address: 200 E. Randolph Dr., Suite 5300

City: Chicago State: IL Zip: 60601

6. Total number of applications and registrations involved: 40

7. Total fee (37 CFR 3.41): \$1015.00

- Enclosed, Authorized to be charged to deposit account

8. Deposit account number:

22-0440

(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.

Seth Traxler

Name of Person Signing

Seth Traxler (Signature)

Signature

January 18, 2002 Date

Total number of pages including cover sheet, attachments, and document: 7

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

01/31/2002 GTOM11 00000246 1781992

01 FC:481 02 FC:482

40.00 OP 975.00 OP

TRADEMARK REEL: 002434 FRAME: 0561

SCHEDULE

Mark	Appl. No./Reg. No.
ATLANTA TURF SPECIAL	1781992
BETTER LAWNS	1548755
BLOOM START	1657901
BULB BOOSTER	1287510
BULB BOOSTER	1270432
CALADIUM BOOSTER	1903304
CAROLINA SPECIAL	2003574
DESIGN ONLY	75/009459
DESIGN ONLY	1426130
EASYLIME	1508732
FLOWER POWER	1679773
GOAL LINE	1514215
GREENSKOTE	1455964
INSTAGREEN	1427065
MASTER GREEN	1508729
MELLOW VALLEY	0996246
NURSERY SPECIAL	1123884
PARKER'S	1240749
PERENNIAL BOOSTER	1796668
PHERTILIZER	1724786
ROCKET	0773054
SEED & SOD	1114763
SOILIFE	0847806
STA-GREEN	0686131
STA-GREEN	0807450

Mark	Appln. No./Reg. No.
STA-GREEN II	1813279
STA-GREEN WINTER CONDITIONER	1607880
SUMMER GREEN	1960689
SUPREME GREEN	1539907
TEXAS TURF	1775662
VERTAGREEN	0525504
BIG CROP	0508395
K-KOTE	1542143
NITRAZINE	1445764
NURSERY BLEND	1776958
POLYON	1834216
PURSELL	1446947
PURSELL'S	2011233
SULFURKOTE	1156017
TRIKOTE	1912112

RELEASE OF SECURITY INTEREST (TRADEMARKS)

FOR VALUE RECEIVED, the undersigned, ING (U.S.) CAPITAL CORPORATION, a Delaware corporation, as Agent ("Assignor"), does hereby release its security interest in and, assign, transfer and convey to PURSELL INDUSTRIES, INC., a Delaware corporation ("Pursell"), any and all of Assignor's entire right, title and interest in and to the trademark applications and trademarks listed on Exhibit A attached hereto, arising under that certain Collateral Assignment and Security Agreement (Trademarks), dated as of March 19, 1997, by and between Pursell and Assignor, recorded March 25, 1997, on Reel No. 1547, Frame 0907, United States Patent and Trademark Office, together with the goodwill of the business symbolized by the marks, including, without limitation, all proceeds thereof (such as, by way of example only, license royalties and proceeds of infringement suits), the right to sue for past, present and future infringements, all rights corresponding thereto and all renewals thereof.

This Agreement shall be effective as of May 29, 1998.

IN WITNESS WHEREOF, Assignor has caused this Agreement to be signed and sealed by its duly authorized officers, on May 29, 1998.

ING (U.S.) CAPITAL CORPORATION,
as Agent

By: 

Title: VP

STATE OF GEORGIA)
COUNTY OF Cobb)

BEFORE ME, the undersigned, a Notary Public in and for the county aforesaid, on this 28th day of May, 1998, personally appeared to me known personally, and who, being by me duly sworn, deposes and says that he is the Vice President of ING (U.S.) CAPITAL CORPORATION, a Delaware corporation, and that said instrument was signed by him on behalf of said corporation by authority of its Board of Directors, and said Vice President acknowledged said instrument to be the free act and deed of said corporation.

C. J. Clark
Notary Public
Executed on 5-28-98
My Commission Expires
Notary Public, Douglas County, Georgia
My Commission Expires May 8, 2002

[NOTARIAL SEAL]

SCHEDULE A

to Trademark Transfer and Assignment
dated May 1998
by ING (U.S.) Capital Corporation
to Pursell Industries, Inc.

<u>TRADEMARK</u>	<u>APPLICATION/ REGISTRATION NO.</u>	<u>DATE</u>
ATLANTA TURF SPECIAL	1,781,982	7-13-83
BETTER LAWNS	1,548,755	7-18-89
BLOOM START	1,657,901	9-24-91
BULB BOOSTER	1,287,510	7-31-84
BULB BOOSTER	1,270,432	3-20-84
CALADIUM BOOSTER	1,903,304	7-4-95
CAROLINA SPECIAL	2,003,574	9-24-96
DESIGN ONLY	75/009459	10-24-95
DESIGN ONLY	1,426,130	1-27-87
EASY LINE	1,508,732	10-18-88
FLOWER POWER	1,679,773	3-17-92
GOAL LINE	1,514,315	11-29-88
GREENSKOTE	1,455,964	9-8-87
INSTAGRSEN	1,427,065	2-3-87
MASTER GREEN	1,508,729	10-18-88
MELLOW VALLEY	996,246	10-22-74
NURSERY SPECIAL	1,123,884	8-14-79
PARKER'S	1,240,749	6-7-83
PERENNIAL BOOSTER	1,796,668	10-5-93
PHERTILIZER	1,724,786	10-13-92
ROCKET	773,054	7-14-64
SEED & SOD	1,114,763	3-13-79
SOILIFE	847,806	4-23-68
STA-GREEN	686,131	
STA-GREEN	807,450	4-26-66
STA-GREEN II	1,813,279	12-28-93
STA-GREEN WINTER CONDITIONER	1,607,880	7-31-90
SUMMER GREEN	1,960,689	3-5-96
SUPREME GREEN	1,539,907	5-23-89
TEXAS TURF	1,775,662	6-8-93
VERTAGREEN	525,504	5-23-50

Licensed Trademarks

<u>TRADEMARK</u>	<u>APPLICATION/ REGISTRATION NO.</u>	<u>DATE</u>
BIG CROP	508,395	4-12-49
K-KOTE	1,542,143	6-6-89
NITRAZINE	1,445,764	7-7-87
NURSERY BLEND	1,776,958	6-15-93

TRADEMARK

APPLICATION/
REGISTRATION NO.

DATE

POLYON	1,834,216	5-3-94
PURSELL	1,446,947	7-7-87
PURSELL'S	2,011,233	10-22-96
SULFURKOTE	1,156,017	6-2-81
TRIKOTE	1,922,112	8-15-95

[LIST ANY ADDITIONAL TRADEMARKS WITH ING LIENS]

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