

02-20-2002



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### RECORDATION FORM COVER SHEET TRADEMARKS ONLY

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#### Submission Type

- New 2.12.02
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#### Conveyance Type

- Assignment  License
- Security Agreement  Nunc Pro Tunc Assignment
- Merger Effective Date  
Month Day Year
- Change of Name
- Other

#### Conveying Party

Mark if additional names of conveying parties attached

Execution Date  
Month Day Year

Name

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)

- Individual  General Partnership  Limited Partnership  Corporation  Association
- Other

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.)

Citizenship/State of Incorporation/Organization

02/19/2002 TBIAZ1 00000174 76141043  
01 FC:481 40.00 OP  
02 FC:482 1150.00 OP

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Name

Address (line 1)

Address (line 2)

Address (line 3)

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**Correspondent Name and Address**

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

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**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)**

**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: #

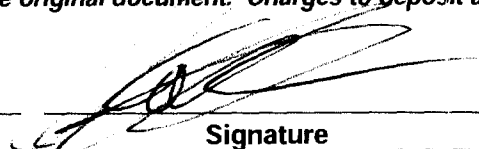
Authorization to charge additional fees: Yes  No

**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.

Alexander H. Butterman

Name of Person Signing



Signature

2/11/02

Date Signed

**APPENDIX A**

<b>MARK</b>	<b>Application Serial</b>	<b>Filing Date</b>		<b>Class and Goods/Services</b>
	<b>No.</b>	<b>First Use</b>	<b>or Registration</b>	
	<b>or Registration</b>	<b>Date</b>	<b>Date</b>	
	<b>No.</b>			
WATERPACK	76/141,043	05/18/2001	10/05/2000	1 - Solubility enhancer for spraying aqueous solutions used for pest and weed control
RIGHT ON	76/270,545		06/12/2001	1 - Spray dye indicator for fertilizers and pesticides
RIGHT ON PLUS	76/270,539		06/12/2001	1 - Spray dye indicator for fertilizers and pesticides
SEE THROUGH	76/266,879	04/11/2001	06/05/2001	1 - Biodegradable pond and lake clarifier
CLEARUP	76/266,876	03/19/2001	06/05/2001	2 - Dyes and colorants for use on turf
ENHANCE	76/270,390	04/16/2001	06/12/2001	1 - Non-ionic surfactant
FERTIPACK	76/270,537		06/12/2001	1 - Water Soluble Fertilizer for Turf and Ornamental Applications
SP RAPID GREEN	76/270,547		06/12/2001	1 - Water Soluble Fertilizer for Turf and Ornamental Applications
SP SUMMER AID	76/270,546		06/12/2001	1 - Water Soluble Fertilizer for Turf and Ornamental Applications
SP BENTGRASS FORMULA	76/270,548		06/12/2001	1 - Water Soluble Fertilizer for Turf and Ornamental Applications
SP ALL PURPOSE	76/270,380		06/12/2001	1 - Water Soluble Fertilizer for Turf and Ornamental Applications
SP ROOT ENHANCER	76/270,544		06/12/2001	1 - Water Soluble Fertilizer for Turf and Ornamental Applications
SP SUPER-CAL FORMULA	76/270,538		06/12/2001	1 - Water Soluble Fertilizer for Turf and Ornamental Applications
SURFPACK	76/270,542	12/29/1999	06/12/2001	1 - Soil wetting agents
SYRINGE	76/266,839	02/28/2000	06/05/2001	1 - Injectable soil surfactant for turf applications

ASSIGNMENT - 2

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**TRADEMARK**  
**REEL: 002440 FRAME: 0705**

<u>MARK</u>	<u>Application Serial</u>	<u>First Use</u>	<u>Filing Date</u>	<u>Class and Goods/Services</u>
	<u>No.</u> <u>or Registration</u> <u>No.</u>	<u>Date</u>	<u>or Registration</u> <u>Date</u>	
REWET	76/266,836	02/28/2000	06/05/2001	1 - Soil surfactant for turf applications
RELY II	76/266,768	12/29/1999	06/05/2001	1 - Preventative soil surfactant for turf applications
BRILLIANCE	75/754,284	11/01/1999	07/19/1999	1 - Soil amendments for agricultural use
NUTRIPACK	76/115,706		08/24/2000	1 - Soil conditioners
ECO N+	1,822,159	01/05/1993	02/22/1994	1 - Liquid fertilizer for agricultural use
ECO MICRO MIX	76/266,881	07/13/1998	06/05/2001	1 - Liquid and granular fertilizer for turf applications
NEM-AWAY	2,350,887	10/13/1998	05/16/2000	5 - Insect growth regulator, namely, a botanical nematode suppressant
PHOENIX	76/266,883	04/10/2001	06/05/2001	1 - Biostimulant for turf and ornamental plants
SIX IRON	76/068,761	02/16/2000	06/12/2000	1 - Soil conditioners for golf courses, fairways and other turf areas
SIX IRON PLUS	76/068,773	02/16/2000	06/12/2000	1 - Soil conditioners for golf courses, fairways and other turf areas
ECO POWER MIX	76/266,878	03/31/1999	06/05/2001	1 - Liquid nutrients for turf applications
ECO MAG	76/266,835	09/02/1998	06/05/2001	1 - Liquid magnesium foliar fertilizer for turf applications
ECO CALEX	76/266,834	06/30/1998	06/05/2001	1 - Soluble source of calcium for turf applications
ECO K+	2,393,540	02/11/1992	02/12/1993	1 - Liquid fertilizer for agricultural use
GROWTHPACK	76/270,536	05/10/2001	06/12/2001	1 - Biological plant growth enhancers
TRIDENT	76/267,071	04/04/2001	06/05/2001	1 - Biostimulant for turf applications
GRIDIRON	76/267,007	04/17/2001	06/05/2001	1 - Biostimulant for turf and ornamental plants
BIO-KELP	76/267,006	05/10/2001	06/05/2001	1 - Biostimulant for turf and ornamental plants

<u>MARK</u>	<u>Application Serial No. or Registration No.</u>	<u>First Use Date</u>	<u>Filing Date or Registration Date</u>	<u>Class and Goods/Services</u>
BIO-KELP PLUS	76/267,072	05/24/2001	06/05/2001	1 - Liquefied sea plant extract for use as a soil amendment
COLORPACK	76/115,707		08/24/2000	1 - Soil conditioners for agricultural, domestic or horticultural use
TP GREEN	76/267,070	10/19/1999	06/05/2001	2 - Concentrated pigment for use in coloration of turf
TP GREEN DARKEN	76/266,771		06/05/2001	2 - Concentrated pigment for use in coloration of turf
TP GREEN PLUS	76/266,877		06/05/2001	2 - Concentrated pigment for use in coloration of turf
TECHPACK	76/115,567		08/24/2000	1 - Soil conditioners for agricultural, domestic or horticultural use
TERMINATOR	76/266,838	10/20/1999	06/05/2001	1 - Silicone-based foam suppressant for use in ponds and lakes
SP FOAM MARKER	76/270,540		06/12/2001	1 - Foam marker for fertilizer and pesticide sprays
NUTRAWASH	76/270,543	10/25/1999	06/12/2001	1 - Spray tank cleaner and neutralizer
SP BALL WASH CONCENTRATE	76/270,541		06/12/2000	3 - Biodegradable detergent for cleaning golf balls
TP DARKEN	76/288,302	11/15/1999	07/23/2001	2 - Concentrated pigment for use in coloration of turf
POTASSIUM SPECIAL	76/279,333	12/31/2000	07/02/2001	1 - Multi-purpose water soluble fertilizer for turf and ornamental applications
ECO MIX	1,813,278	01/05/1993	12/28/1993	1 - Liquid fertilizer for agricultural use
ECO CAL	1,855,443	02/11/1992	02/22/1994	1 - Liquid fertilizer for agricultural use

TRADEMARK ASSIGNMENT


WHEREAS, Eco Soil Systems, Inc. (hereinafter "Assignor"), a corporation organized under the laws of the State of Nebraska, and located at 10740 Thornmint Road, San Diego, California 92127, has intended to use but has not yet filed an allegation of use under Section 1(c) or 1(d) of the Trademark Act for the marks listed on **Appendix A** or, where indicated, has adopted, used and is using in interstate commerce the marks listed on **Appendix A**, and is the owner of the applications which were filed with the United States Patent and Trademark Office on the dates listed on **Appendix A**, based on its bona fide intent to use such marks in commerce, which applications have been assigned the Serial Numbers or registered with the Registration Numbers listed on **Appendix A**; and

WHEREAS, Simplot Turf and Horticulture, a division of J.R. Simplot Company, a corporation organized under the laws of the State of Nevada (hereinafter "Assignee"), and located at One Capital Center, 999 Main Street, Suite 1300, Boise, Idaho 83707, is acquiring the entire business or portion thereof to which the marks pertain as required by 15 U.S.C. § 1060.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, said Assignor does hereby assign to said Assignee the marks in the applications listed on **Appendix A** as part of the entire business or portion thereof to which the marks pertain as required by 15 U.S.C. § 1060.

ECO SOIL SYSTEMS, INC.

September 7, 2001  
Date

  
Officer: MAX D. GELWIX  
Title: PRESIDENT

ASSIGNMENT - 1  
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RECORDED: 02/12/2002

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