

02-26-2002



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

101992280

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

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

1. Name of conveying party(ies):
AgSpan, Inc. 2-6-02

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

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

2. Name and address of receiving party(ies)
Name: Ivy Animal Health, Inc.

Internal Address: _____
Street Address: 8857 Bond Street
City: Overland Park State: Kansas Zip: 66214

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

3. Nature of conveyance:
 Assignment Merger
 Security Agreement Change of Name
 Other _____

Execution Date: November 9, 2001

4. Application number(s) or registration number(s):
A. Trademark Application No.(s)
76/199,039
76/199,048

Additional number(s) attached Yes No

B. Trademark Registration No.(s)

RECEIVED
FEB - 6 2002

5. Name and address of party to whom correspondence concerning document should be mailed:
Name: Andrea F. Sellers
Internal Address: Stinson, Mag & Fizzell, P.C.

Street Address: 1201 Walnut Street, Suite 2800
P.O. Box 419251
City: Kansas City State: Missouri Zip: 64141-6251

6. Total number of applications and registrations involved: 2

7. Total fee (37 CFR 3.41)..... \$ 65.00
 Enclosed
 Authorized to be charged to deposit account

8. Deposit account number:
19-4409
(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.

Andrea F. Sellers *Andrea F. Sellers* 12/18/01
Name of Person Signing Signature Date

Total number of pages including cover sheet, attachments, and document: 4

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

02/25/2002 LMIELLER 00000127 194409 76199039
01 FC:401
02 FC:402

TRADEMARK ASSIGNMENT

WHEREAS, AgSpan, Inc. (“Assignor”), is the owner of certain trademarks and pending applications therefor (collectively, the “Trademarks”), which Trademarks are listed on Exhibit A hereto, and the goodwill appurtenant thereto; and

WHEREAS, Ivy Animal Health, Inc., a company organized under the laws of Delaware, with an office at 8857 Bond Street, Overland Park, Kansas 66214 (“Assignee”), desires to acquire the entire right, title and interest in the Trademarks and the appurtenant goodwill;

WHEREAS, the parties hereto entered into an Asset Purchase Agreement, dated as of November 9, 2001 (the “Agreement”), pursuant to which the Assignor agreed to sell and assign to Assignee substantially all of the assets of the Assignor used in the Business (as defined in the Agreement), and Assignee agreed to purchase and assume from the Assignor substantially all of such assets upon the terms and conditions set forth therein;

NOW, THEREFORE, for and in consideration of the mutual covenants of the parties set forth in the Agreement and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor does hereby sell, assign and transfer unto Assignee, its successors and assigns, the entire right, title and interest in and to the Trademarks (specifically including the registration therefor), together with the goodwill appurtenant thereto.

[INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, Assignor has caused these presents to be duly executed in a manner appropriate thereto effective this 9th day of November 2001.

ASSIGNOR

By: Richard O. Shuler

Name: Richard O. Shuler

STATE OF Georgia)

COUNTY OF Gwinnett)
ss.:



On the 9th day of November, 2001, before me personally came Richard O. Shuler, to me known to be the individual described in, and who executed, the foregoing instrument, and acknowledged that he/she expected the same.

SEAL

Janis Venice Mercer
Notary Public



EXHIBIT A

<u>Trademark</u>	<u>Registration No.</u>	<u>Filing Date</u>
DairySpan	 76/199,039	January 24, 2001
PorkSpan	 76/199,048	January 24, 2001

Facsimile Transmission

This company uses RightFAX® fax server software from RightFAX, Inc.

From: Name: USPTO ASSIGNMENT DIVISION
Fax Number:
Voice Phone: 703-308-9723

To: Name: SUBMITTER
Company: Faxed to Submitter's Fax Number
Fax Number: 18166913495
Voice Phone:

Fax Notes:

Pg#	Description
1	Cover Page
2	9.TXT
3	8166913495

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By	CRUB

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Date and time of transmission: Friday, November 23, 2001 11:52:58 AM
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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

November 23, 2001

Submitter

United States Patent and Trademark Office
Notice of Submission Type

Your request to record a document in the United States Patent and Trademark Office was received via electronic fax on November 14, 2001, at 05:54 PM.

The document submitted cannot be processed via electronic fax. Please resubmit your document to the Assignment Division via mail service.

If you have any questions, you may contact our customer service center at 703-308-9723.

Office of Public Records
Assignment Division

STINSON, MAG & FIZZELL

A PROFESSIONAL CORPORATION

1201 WALNUT STREET, SUITE 2800

KANSAS CITY, MISSOURI 64106

TELEPHONE (816) 842-8600

FACSIMILE (816) 691-3495

LEAWOOD, KANSAS

OMAHA, NEBRASKA

ST. LOUIS, MISSOURI

Date: November 14, 2001

Pages: 5, (Including this cover sheet.)

Sender ID#: 3426

Client-Matter #: 503273.014/015

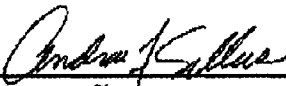
To:	Facsimile #	Firm	Firm Telephone #
Box Assignment	(703)306-5995	Commissioner of Patents and Trademarks	

From: Andrea F. Sellers

Comment: Following is a Trademark Recordation Form Cover Sheet and Assignment for recordation.

The information contained in this communication is confidential, may be attorney-client privileged, may constitute inside information, and is intended only for use of the addressee. Unauthorized use, disclosure or copying is strictly prohibited and may be unlawful. If you have received this communication in error, please immediately notify us at (816) 691-3162.

533110 v1

Form PTO-1594 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002)		RECORDATION FORM COVER SHEET TRADEMARKS ONLY		U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office	
To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.					
1. Name of conveying party(ies): <u>AgSpan, Inc.</u> <input type="checkbox"/> Individual(s) <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation-State <input type="checkbox"/> Other _____ Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			2. Name and address of receiving party(ies) Name: <u>Ivy Animal Health, Inc.</u> Internal Address: _____ Street Address: <u>8857 Bond Street</u> City: <u>Overland Park</u> State: <u>Kansas</u> Zip: <u>66214</u> <input type="checkbox"/> Individual(s) citizenship _____ <input type="checkbox"/> Association _____ <input type="checkbox"/> General Partnership _____ <input type="checkbox"/> Limited Partnership _____ <input checked="" type="checkbox"/> Corporation-State <u>Delaware</u> <input type="checkbox"/> Other _____ If assignee is not domiciled in the United States, a domestic representative designation is attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Designations must be a separate document from assignment) Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: <u>November 9, 2001</u>					
4. Application number(s) or registration number(s): A. Trademark Application No.(s) <u>08/199,039</u> <u>08/199,048</u> Additional number(s) attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			B. Trademark Registration No.(s) Additional number(s) attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>Andrea F. Sellers</u> Internal Address: <u>Stinson, Mag & Fizzell, P.C.</u> Street Address: <u>1201 Walnut Street, Suite 2800</u> <u>P.O. Box 419261</u> City: <u>Kansas City</u> State: <u>Missouri</u> Zip: <u>64141-6251</u>			6. Total number of applications and registrations involved: 2		
			7. Total fee (\$7 CFR 3.41)..... \$ <u>65.00</u> <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account		
			8. Deposit account number: <u>19-4409</u> (Attach duplicate copy of this page if paying by deposit account.)		
DO NOT USE THIS SPACE					
9. Statement and signature. <i>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.</i> <u>Andrea F. Sellers</u> <u></u> <u>11/14/01</u> Name of Person Signing Signature Date					
Total number of pages including cover sheet, attachments, and document: 4					

Mail documents to be recorded with required cover sheet information to:
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 Washington, D.C. 20231

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NOW, THEREFORE, for and in consideration of the mutual covenants of the parties set forth in the Agreement and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor does hereby sell, assign and transfer unto Assignee, its successors and assigns, the entire right, title and interest in and to the Trademarks (specifically including the registration therefor), together with the goodwill appurtenant thereto.

[INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, Assignor has caused these presents to be duly executed in a manner appropriate thereto effective this 9th day of November 2001.

ASSIGNOR

By: Richard O. Shuler

Name: Richard O. Shuler

STATE OF Georgia)

ss.:

COUNTY OF Gwinnett)

On the 9th day of November, 2001, before me personally came Richard O. Shuler, to me known to be the individual described in, and who executed, the foregoing instrument, and acknowledged that he/she expected the same.

SEAL

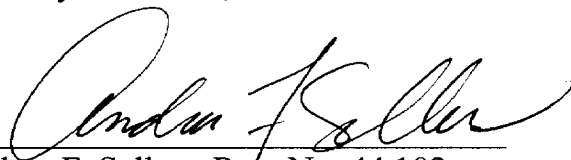
Janis Venice Mercer
Notary Public



A Recordation Form Cover Sheet is enclosed correctly identifying the serial numbers subject to the assignment as 76/199,039 and 76/199,048, as reflected on Exhibit A to the Assignment Document attached thereto. Insofar as this request is being submitted within thirty days of the Notice of Non-Recordation, Applicant requests that the enclosed Assignment Document be recorded, effective November 14, 2001, the date the Assignment Document was originally submitted via facsimile.

Acknowledgment of receipt is respectfully requested.

Respectfully submitted,

By: 

Andrea F. Sellers, Reg. No. 44,102
STINSON, MAG & FIZZELL, P.C.
1201 Walnut Street, Suite 2800
P.O. Box 419251
Kansas City, MO 64141-6251
Telephone: (816) 842-8600
Facsimile: (816) 691-3495
Attorney for Applicant

Enclosures