

03-29-2002

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

03-18-2002

5/31/2002)

102035614

U.S. Patent & TMOs/TM Mail Rpt Pt. #80

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

1. Name of conveying party(ies):

National Gardening Association, Inc.

3-18-02

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

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

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other
- Merger
- Change of Name

Execution Date: January 4, 2002

2. Name and address of receiving party(ies)

Name: Gardens Alive, Inc.

Internal Address: \_\_\_\_\_

Street Address: 5100 Schenley Place

City: Lawrenceburg State: IN Zip: 47025

- 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) \_\_\_\_\_  
75/875789      76/061298

B. Trademark Registration No.(s) \_\_\_\_\_

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: NY Zip: 14202

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:

50-1024

DO NOT USE THIS SPACE

9. Signature.

Candace Lynn Bell

Name of Person Signing

Signature

March 13, 2002

Date

4

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

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

03/28/2002 T0IAZ1 00000088 75875789

01 FC:481  
02 FC:482

40.00 OP  
25.00 OP

EL483876496US

TRADEMARK  
REEL: 002471 FRAME: 0022

NATIONAL GARDENING ASSOCIATION, INC.  
ASSIGNMENT OF TRADEMARKS/SERVICE MARKS

Whereas National Gardening Association, Inc., a Vermont Corporation with offices at 1100 Dorset Street, S. Burlington, Vermont 05403, 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, some of which Marks may be the subject of registrations with foreign trademark offices, and some of which Marks may be the subject of domain name registrations, as more specifically described on Schedule A, and

Whereas Gardens Alive, Inc., a Delaware Corporation, with a mailing address of 5100 Schenley Place, Lawrenceburg, Indiana 47025, 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, National Gardening Association, Inc. does hereby fully assign, transfer, and release unto Gardens Alive, Inc. 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.

National Gardening Association, Inc. further assigns, transfers, and releases to Gardens Alive, Inc. 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: January 4, 2002  
~~December~~ \_\_, 2001

National Gardening Association, Inc.

By: Valorie Kelsey  
President

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TRADEMARK  
REEL: 002471 FRAME: 0023

STATE OF Vermont )  
COUNTY OF Chittenden )SS.:

On the 4 day of <sup>January 2002</sup> ~~December, 2001~~ before me the undersigned, personally appeared Valerie Kelsey, 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 National Gardening Association, Inc. and that by his signature on the instrument National Gardening Association, Inc. executed the instrument, and that she made such appearance before the undersigned in the City of Burlington and State of Vermont.

Dorothy B. Nett  
Notary Public

MY COMMISSION EXPIRES: 2/10/03

SCHEDULE A

OWNER: National Gardening Association, Inc.  
 \_\_\_\_\_ Corporation

MARK	STATUS	REG NUMBER	REG DATE	SERIAL NUMBER	FILE DATE	COUNTRY
mySEASONS	Pending			75/875789		USA
mySEASONS	Pending			76/061298		USA
myseasons.com						
myseasons.net						
myseasons.org						
gardenseasons.com						
gardenseasons.net						
gardenseasons.org						
homeseasons.net						
homeseasons.org						
moregarden.com						
moregarden.net						
moregarden.org						
myseason.net						
yourseasons.com						
yourseasons.net						
yourseasons.org						