



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Trademark Registration of: W. Kordes' Söhne Rosenschulen GmbH & Co KG (by assignment from Jackson & Perkins Wholesale, Inc.)

Registration No.: 1,792,826

Registered: September 14, 1993

Mark: DALLAS

Class(es): 31

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper or fee referred to as being attached or enclosed) is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER FOR TRADEMARKS 2900 CRYSTAL DRIVE, ARLINGTON, VA 22202-3513, on 09-3-02, 2002.

[Signature] Attorney for Applicant(s)

COMMISSIONER FOR TRADEMARKS 2900 CRYSTAL DRIVE ARLINGTON, VA 22202-3513

DESIGNATION OF DOMESTIC REPRESENTATIVE

Klarquist Sparkman, LLP One World Trade Center, Suite 1600 121 S.W. Salmon Street Portland, Oregon, U.S.A. 97204

is hereby designated Registrant's representative upon whom notices or process in proceedings affecting the mark may be served.

W. KORDES' SÖHNE ROSENSCHULEN GMBH & CO KG

Date: 19/06/02, 2002

By: [Signature] Wilhelm Kordes, Manager

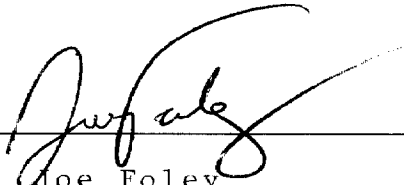
**ASSIGNMENT**

WHEREAS, Jackson & Perkins Wholesale, Inc. (by change of name from Bear Creek Gardens, Inc.), a corporation organized under the laws of the State of Delaware, having its principal place of business at 2518 South Pacific Highway, Medford, Oregon 97501, is the owner of the trademark DALLAS and United States Trademark Registration No. 1,792,826, registered September 14, 1993, therefor;

WHEREAS, W. Kordes' Söhne Rosenschulen GmbH & Co KG, a corporation organized under the laws of Germany, having a place of business at Rosenstr. 54, 25365 Klein Offenseth-Sarrieshoop, Germany, is desirous of acquiring said mark and the registration therefor;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, said Jackson & Perkins Wholesale, Inc. does hereby sell, assign and transfer to W. Kordes' Söhne Rosenschulen GmbH & Co KG, all rights, title and interest in and to the said trademark, together with the good will of the business symbolized by the mark and the registration therefor.

JACKSON & PERKINS WHOLESALE, INC.

By:   
Name: Joe Foley  
Title: Senior Vice President

STATE OF OREGON            )  
  ) ss.  
COUNTY OF JACKSON    )

On this 3rd day of ~~April~~ <sup>June</sup>, 2002, before me personally came the above-named person, who executed the foregoing instrument in my presence, and who acknowledged to me that he executed the same of his own free will for the purposes set forth.

  
Notary Public for Oregon  
Janiece A. Newell

