

10-24-2002



COVER SHEET

U. S. Dept. of Commerce
Patent and Trademark Office

S ONLY

To the Honorable Comm. 102259579

Record the attached original documents or copy thereof.

1. Name of Conveying Party(ies):
Frank's Nursery & Crafts, Inc. 10-21-02

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

2. Name and address of receiving party(ies)
 Name: Frank's Nursery & Crafts, Inc.
 Internal Address: _____
 Street Address: 580 Kirts Boulevard, Suite 300
 City: Troy State: Michigan Zip: 48084
 Individual(s) citizenship _____
 Association _____
 General Partnership _____
 Limited Partnership _____
 Corporation-State of Delaware
 Other _____

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

3. Nature of conveyance:

Assignment Merger
 Security Agt. Change of Name
 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

Execution Date: September 27, 2002

4. Application number(s) or registration number(s)

A. Trademark Application No.(s) See Attachment A B. Trademark Registration No(s). See Attachment B

Additional numbers attached: Yes No

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

Name: Andrew R. Basile
YOUNG & BASILE, PC
 Internal Address: Suite 624
 Street Address: 3001 West Big Beaver Road
 City: Troy State: MI Zip: 48084-3107

6. Total no. of applications and registrations involved 42

7. Total fee (37 CFR 3.41) \$1065.00
 Enclosed
 Authorized to be charged to deposit account

8. Deposit account number:
25-0115
 (Attach duplicate copy of this page if paying by deposit account)

10/23/2002 DBYRNE 00000126 76055013
 FC:8521 40.00 OP
 FC:8322 1023.00 OP

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.*

Andrew R. Basile [Signature] October 15, 2002
 Name of Person Signing Signature Date

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

ATTACHMENT A

Pending Applications

<u>Serial No.</u>	<u>Filing Date</u>	<u>Mark</u>
76/055,013	05/23/00	NORTH POLE TRADITIONS
76/300,123	08/16/01	FRANK'S EXCLUSIVE JACK FROST COLLECTION and design
76/344,061	11/30/01	WHERE A BEAUTIFUL CHRISTMAS BEGINS!
76/368,482	02/07/02	HOLIDAY MEMORIES
76/375,755	02/27/02	FRANK'S EXCLUSIVE AUTUMN ANNUALS and design
78/148,251	07/29/02	HOLIDAY TREASURES

ATTACHMENT B

Registrations

<u>Reg. No.</u>	<u>Issue Date</u>	<u>Mark</u>
1,192,348	03/16/82	DESIGN ONLY
1,225,511	01/25/83	FRANK'S NURSERY & CRAFTS
1,227,910	02/15/83	FRANK'S
1,235,952	05/03/83	LOGLIFE (stylized)
1,251,941	09/27/83	FRANK'S NURSERY & CRAFTS
1,254,155	10/18/83	DESIGN ONLY
1,266,526	02/07/84	FLOWER TIME
1,279,304	05/22/84	FLOWER TIME
1,280,329	06/05/84	'PRE-EM' (stylized)
1,518,190	12/27/88	ALL SEASONS and design
1,672,922	01/21/92	FRANK'S NURSERY & CRAFTS and design
1,672,923	01/21/92	WHERE BEAUTIFUL THINGS BEGIN
1,769,008	05/04/93	FRANK'S (stylized)
1,770,632	05/11/93	FRANK'S NURSERY & CRAFTS and design
1,775,579	06/08/93	WHERE BEAUTIFUL THINGS BEGIN
1,785,420	08/03/93	CHRISTMAS TIME and design
1,789,794	08/24/93	CHRISTMAS BY FRANK'S
1,943,926	12/26/95	WHERE CHRISTMAS BEGINS
1,952,175	01/30/96	GENERAL HOST
2,021,296	12/03/96	WHERE BEAUTIFUL GARDENS BEGIN
2,039,544	02/18/97	ULTRA BRIGHT

Registrations (continued)

<u>Reg. No.</u>	<u>Issue Date</u>	<u>Mark</u>
2,044,657	03/11/97	IN THE GARDEN BY FRANK'S
2,044,961	03/11/97	FRANK'S KIDS CORNER
2,046,377	03/18/97	WHERE BEAUTIFUL IDEAS BEGIN
2,122,435	12/16/97	FRESH STARTS
2,163,816	06/09/98	FRANK'S SOLUTIONS FOR YOUR HOME & GARDEN
2,209,720	12/08/98	FRANK'S HOLIDAY LIGHTS and design
2,267,666	08/03/99	5 SEASONS
2,267,692	08/03/99	NATURE'S TREASURES
2,278,376	09/14/99	FRANK'S and design
2,285,542	10/12/99	VALUE PLUS PREMIUM DRIED
2,302,562	12/21/99	FRANK'S 5 SEASONS and design
2,354,861	06/06/00	CHRISTMAS TIME
2,369,211	07/18/00	VALANCE
2,388,438	09/19/00	FRANK'S PREMIER SILKS
2,390,293	09/26/00	FRANK'S CHRISTMAS COLLECTION

ASSIGNMENT

WHEREAS, Frank's Nursery & Crafts, Inc., a corporation of the State of Michigan, having a principal place of business at 580 Kirts Boulevard, Suite 300, Troy, Michigan 48084, hereafter referred to as "Assignor", has adopted, used and is using in its business certain marks for which applications have been made and for which registrations have been registered in the United States Patent and Trademark Office, as listed in Appendix A attached hereto;

WHEREAS, Frank's Nursery & Crafts, Inc., a corporation of the State of Delaware, having a principal place of business at 580 Kirts Boulevard, Suite 300, Troy, Michigan 48084, hereafter referred to as "Assignee", is desirous of acquiring said marks, applications and the registrations therefor; and

WHEREAS certain of the pending marks identified in Appendix A are the subject of intent-to-use applications in which the Assignor has indicated that it intends to use the marks in commerce, but Assignor has not yet filed Allegations of Use under § 1(c) or § 1(d) of the Trademark Act. Assignor is assigning the marks indicated in Appendix A as part of the entire business or portion thereof to which the marks pertain as required by § 15 U.S.C. 1060;

NOW THEREFORE, for One (\$1.00) Dollar and other good and valuable consideration, receipt of which is hereby acknowledged, said Assignor does hereby assign unto said Assignee all right, title and interest in and to said marks, applications and registrations identified in Appendix A, together with the goodwill of the business symbolized by said marks, to be held and enjoyed by the Assignee, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by the Assignor had this assignment and sale not been made, including the Assignor's right to accrued damages, if any, by reason of infringement of said marks by any party or parties during the time preceding the recording of this Assignment in the Official Register of Trademarks of the United States of America, as the new proprietors of said marks, with the right to sue for and collect the same for its own use and behoof, and for the use and behoof of its successors, assigns or other legal representatives;

FURTHER, Assignor agrees to execute without further consideration such further lawful documents as may reasonably be required with respect to said marks to vest in Assignee the rights conveyed herein.

IN WITNESS WHEREOF, the Assignor has caused this Assignment to be signed by its duly authorized officer this 27th day of September, 2002.

FRANK'S NURSERY & CRAFTS, INC.
Assignor
By: *Michael D. McBride*
Michael D. McBride
Its: ~~Vice President Legal & Real Estate~~



APPENDIX A

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