

04-21-2003

Form PTO-1594
(Rev. 10/02)
OMB No. 0651-0027 (exp. 6/30/2005)
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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.

| | |
|---|---|
| <p>1. Name of conveying party(ies): TH. Langeveld B.V. 4-16-03</p> <p><input type="checkbox"/> Individual(s) <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Corporation-State <input checked="" type="checkbox"/> Other <u>Corporation of the Netherlands</u></p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> | <p>2. Name and address of receiving party(ies) Name: <u>Dutch Gardens, Inc.</u> Internal Address: _____ Address: _____ Street Address: <u>128 Intervale Street</u> City: <u>Burlington</u> State: <u>VT</u> Zip: <u>05401</u></p> <p><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 _____</p> <p>If assignee is not domiciled in the United States, a domestic representative designation is attached: <input type="checkbox"/> Yes <input type="checkbox"/> No (Designations must be a separate document from assignment) Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> |
| <p>3. Nature of conveyance: <input type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input checked="" type="checkbox"/> Other <u>Correct state of corporation for Dutch Gardens, Inc.</u> Execution Date: <u>February 3, 2003</u></p> | <p>4. Application number(s) or registration number(s): A. Trademark Application No.(s) _____ B. Trademark Registration No.(s) <u>1,738,547</u> <u>2,262,717</u></p> <p>Additional number(s) attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> |
| <p>5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>Andrew D. Manitsky, Esq.</u> Internal Address: _____ _____ <u>Gravel and Shea</u> Street Address: <u>76 St. Paul St., 7th Floor</u> <u>P. O. Box 369</u> City: <u>Burlington</u> State: <u>VT</u> Zip: <u>05402</u></p> | <p>6. Total number of applications and registrations involved: 2</p> <p>7. Total fee (37 CFR 3.41).....\$ <u>80.00</u> <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account</p> <p>8. Deposit account number: _____ (Attach duplicate copy of this page if paying by deposit account)</p> |
| DO NOT USE THIS SPACE | |
| <p>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></p> <p><u>Andrew D. Manitsky</u> <u>[Signature]</u> Name of Person Signing Signature</p> <p>Total number of pages including cover sheet, attachments, and document: 4</p> <p style="text-align: right;">Fund Ref: 000026304 Date: 4/16/03 Total: \$80.00</p> | |

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

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01 FC: 4521 40.00 OP
02 FC: 4522 25.00 OP

Fund Ref: 000026304
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To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

TH. Langeveld B.V.

- Individual(s)
- General Partnership
- Corporation-State
- Other Corporation of the Netherlands
- Association
- Limited Partnership

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

2. Name and address of receiving party(ies)

Name: Dutch Gardens, Inc.

Internal

Address: _____

Street Address: 128 Intervale Street

City: Burlington State: VT Zip: 05401

- Individual(s) citizenship _____
- Association _____
- General Partnership _____
- Limited Partnership _____
- Corporation-State Vermont
- 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
- Security Agreement
- Other _____
- Merger
- Change of Name

Execution Date: February 3, 2003

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s) 1,738,547
2,262,717

Additional number(s) attached Yes No

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

Name: Andrew D. Manitsky, Esq.

Internal Address: _____

Street Address: Gravel and Shea
76 St. Paul St., 7th Floor

P. O. Box 369

City: Burlington State: VT Zip: 05402

6. Total number of applications and registrations involved: _____

2

7. Total fee (37 CFR 3.41).....\$ 80.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number: _____

(Attach duplicate copy of this page if paying by deposit account)

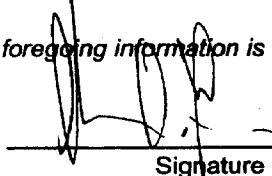
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9. Statement and signature.

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 D. Manitsky

Name of Person Signing


Signature

4/3/03

Date

Total number of pages including cover sheet, attachments, and document: 3

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

ASSIGNMENT OF REGISTERED TRADEMARK

TH. Langeveld B.V., a corporation of the Netherlands ("Assignor"), is the owner of the following trademarks (the "Marks") and related registrations on the Principal Register of the United States Patent and Trademark Office and identified as:

| <u>Trademark</u> | <u>Registration No.</u> | <u>Registration Date</u> |
|--------------------------|-------------------------|--------------------------|
| DUTCH GARDENS and Design | 1,738,547 | December 8, 1992 |
| DUTCH GARDENS | 2,262,717 | July 20, 1999 |

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Assignor hereby assigns to Dutch Gardens, Inc., a Delaware corporation ("Assignee"), its entire right, title and interest in and to the Marks and its related federal registration, together with the goodwill of the business symbolized by the Mark and registration, with all rights of action, powers and benefit to the Marks, due or accrued, including the right to sue for and recover in the Assignee's own name or that of its successors and assigns and other legal representatives all remedies of every nature, including without limitation rights to injunctive relief, damages, profits, costs and attorney fees, arising out of past infringement of the Marks, or injury to the related goodwill, *nunc pro tunc*, effective as of December 7, 2001.

Executed this 3 day of February, 2003.

TH. Langeveld B.V.,
a corporation of the Netherlands

By: 

Name: Hans Langeveld

Title: Managing Director NL Operations

ASSIGNMENT OF REGISTERED TRADEMARKS

PortInd2-4384788.1 0050992-00001

RECORDED: 04/16/2003

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