

08-26-2003



102533682

U.S. Department of Commerce  
Patent and Trademark Office

5-21-03

To the Honorable Commissioner of Patents and Trademarks: PLEASE 102533682 2003 AUG 21 AM 9:06 documents or copy thereof.

1. Name of conveying party(ies)  
Weeks Wholesale Rose Grower

FINANCE SECTION

Individual(s) \_\_\_\_\_ Association \_\_\_\_\_  
 General Partnership \_\_\_\_\_ Limited Partnership \_\_\_\_\_  
 Corporation - State California  
 Other \_\_\_\_\_

Additional name(s) of conveying Party(ies) attached?  
 Yes \_\_\_\_\_ No

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

Execution Date: June 30, 2003

2. Name and address of receiving party(ies):  
 Name: Tennenbaum Capital Partners, LLC  
 Internal Address: \_\_\_\_\_  
 Street Address: 11100 Santa Monica Boulevard, Suite 210  
 City: Los Angeles State: CA Zip: 90025

Individual(s) citizenship \_\_\_\_\_  
 Association \_\_\_\_\_  
 General Partnership: \_\_\_\_\_  
 Limited Partnership: \_\_\_\_\_  
 Corporation - State: \_\_\_\_\_  
 Other Delaware limited liability company

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes \_\_\_\_\_ No \_\_\_\_\_  
 (Designation 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): 76/164854  
 B. Trademark Registration No.(s): \_\_\_\_\_

Additional numbers attached? Yes \_\_\_\_\_ No

5. Name and address of party to whom correspondence concerning documents should be mailed:  
 Name: Mandy Robertson-Bora  
 Internal Address: Gibson, Dunn & Crutcher LLP  
Suite 4000  
 Street Address: 2029 Century Park East  
 City Los Angeles State CA Zip 90067

6. Total number of applications and registrations involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00  
 Enclosed  
 \_\_\_\_\_ Authorized to be charged to deposit account

8. Deposit account number: \_\_\_\_\_  
 (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.

Mandy Robertson-Bora Mandy Robertson-Bora August 21, 2003  
 Name of Person Signing Signature Date

Total number of pages including cover sheet, attachments and document: 9

08/25/2003 DBYRNE 00000162 76164854  
01 ~~FD-8521~~ 0651-0011 40.00 DP

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

**U.S. Patent and Trademark Office, Assignment Division**  
**Box Assignments**  
**Washington, D.C. 20231**

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing this document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503.

**NOTICE OF SECURITY INTEREST  
IN  
PATENTS AND TRADEMARKS**

NOTICE IS HEREBY GIVEN that WEEKS WHOLESALE ROSE GROWER, a California corporation (the "**Grantor**"), with an office located at 430 East 19th Street, Upland California 91784 and TENNENBAUM CAPITAL PARTNERS, LLC, a Delaware limited liability company (the "**Collateral Agent**"), with an office located at 11100 Santa Monica Boulevard, Suite 210, Los Angeles, California 90025, on behalf of itself and certain other creditors of International Garden Products, Inc. (collectively, the "**Secured Parties**"), have entered into a Security Agreement dated as of June 30, 2003 (the "**Security Agreement**"; terms defined in the Security Agreement and not otherwise defined herein are used herein as therein defined).

Pursuant to the Security Agreement, the Grantor has conveyed, pledged, assigned and transferred to the Collateral Agent, for the equal and ratable benefit of the Secured Parties, and has granted to the Collateral Agent, for the equal and ratable benefit of the Secured Parties, a security interest in, (a) the Patents and Patent Licenses listed in Schedule A hereto and (b) the Trademarks and Trademark Licenses listed in Schedule B hereto, together with the goodwill of the business symbolized thereby, in each case to secure the prompt payment, performance and observance of the Obligations of such Grantor.

Dated: June 30, 2003

WEEKS WHOLESALE ROSE GROWER,  
a California corporation

By: 

Name: James H. Hulbert

Title: Chief Executive Officer

**Schedule A**  
to  
**Notice of Security Interest in Patents and Trademarks**

**Patents and Patent Licenses**

**Weeks Wholesale Rose Grower**  
430 East 19th Street  
Upland, CA 91784

**U.S. Patents**

No.	Title	Patent No.	Patent Date	Expiration Date
1	Rose plant	PP 5,451	4/30/85	10/11/03
2	Rose plant	PP 5,452	4/30/85	10/11/03
3	Rose plant	PP 5,481	5/28/85	10/11/03
4	Rose plant	PP 5,828	12/16/86	2/4/05
5	Rose plant named Corpus Christi	PP 5,854	1/13/87	2/4/05
6	Rose plant named Ink Spots	PP 5,855	1/13/87	2/4/05
7	Rose plant	PP 5,858	1/20/87	2/4/05
8	Rose plant named Poultex	PP 6,261	8/30/88	9/15/06
9	Rose plant named Weopop	PP 6,809	5/23/89	10/02/07
10	Rose plant named Pouloni	PP 6,939	7/25/89	3/15/08
11	Hybrid floribunda rose plant	PP 6,953	7/25/89	6/29/08
12	Hybrid miniature rose plant named "Weklips"	PP 7,580	7/9/91	3/20/10
13	Hybrid miniature rose plant named "Weksybil"	PP 7,588	7/16/91	3/20/10
14	Hybrid miniature rose plant named Wekhelen	PP 7,986	9/29/92	2/7/11
15	Hybrid miniature rose plant named Benfig	PP 8,020	11/3/92	2/28/11
16	Hybrid Floribunda rose plant named Wekuz	PP 8,183	3/23/93	8/22/11
17	Hybrid tea rose plant named Wekmar	PP 8,414	10/12/93	10/30/12
18	Hybrid tea rose plant named 'Wekaq'	PP 8,516	12/28/93	11/30/12
19	Miniature rose plant named Poultop	PP 9,048	1/31/95	1/5/14
20	Shrub rose plant named Poulskov	PP 9,062	2/28/95	2/10/14
21	Miniature rose plant named Poulclaus	PP 9,063	2/28/95	1/5/14
22	Hybrid tea rose plant named Wekfrag	PP 9071	3/14/95	11/24/13
23	Floribunda rose plant named Harwelcome	PP 9,161	6/13/95	12/22/13

24	Shrub rose plant names 'Macoranlem'	PP 9,191	7/11/95	2/23/14
25	Shrub rose plant named 'Frytrooper'	PP 9,211	7/25/95	1/24/14
26	Hybrid Tea Rose plant named 'Wekslats'	PP 9,289	9/19/95	9/9/14
27	Hybrid Tea Rose plant named 'Wekjoe'	PP 9,389	12/5/95	11/18/14
28	Floribunda rose plant named 'Morflash'	PP 9,405	12/19/95	11/18/14
29	Miniature rose plant named 'Poulit'	PP 9,419	1/9/96	1/3/15
30	Miniature rose plant named 'Poulxas'	PP 9420	1/9/96	1/3/15
31	Hybrid tea rose plant named 'Wekamanda'	PP 9,591	6/25/96	10/6/15
32	Floribunda rose plant named 'Prober'	PP 9,600	7/9/96	8/7/15
33	Shrub rose plant named 'Wekplasol'	PP 9,715	12/3/96	11/21/15
34	Hybrid Tea rose plant named 'Fryxotic'	PP 9,718	12/3/96	11/29/15
35	Shrub rose plant variety named 'Wekboroco'	PP 10,070	10/21/97	5/31/16
36	Hybrid Tea rose plant variety named 'Wekjuvoo'	PP 10,071	10/21/97	5/31/16
37	Floribunda rose plant variety named 'Wekcryplag'	PP 10,072	10/21/97	5/31/16
38	Floribunda rose plant variety named 'Wekplapep'	PP 10,126	11/25/97	7/1/16
39	Hybrid tea rose plant variety named 'Wekblusi'	PP 10,188	1/13/98	10/7/16
40	Floribunda rose plant named 'Wekcalroc'	PP 10,334	4/21/98	3/13/17
41	Floribunda rose plant named 'Harflow'	PP 10,478	7/7/98	10/22/16
42	Shrub rose plant named 'Poulusa'	PP 10,638	10/13/98	10/30/17
43	Climbing rose plant named 'Poulclimb'	PP 10,639	10/13/98	10/30/17
44	Climbing rose plant named 'Wekmeyer'	PP 10,640	10/13/98	4/2/17
45	Grandiflora rose plant variety named 'Wekdykstra'	PP 10,713	12/8/98	4/2/17
46	Shrub rose plant named 'Pouldron'	PP 10,923	5/25/99	10/30/17
47	Climbing rose plant named 'Morstrort'	PP 11,089	10/12/99	4/7/18
48	Floribunda rose plant named 'Wekcryreg'	PP 11,103	10/19/99	3/27/18
49	Hybrid tea rose plant named 'WEKwinwin'	PP 11,382	5/16/00	9/16/18
50	Hybrid tea rose plant named 'WEKcryland'	PP 11,384	5/16/00	9/8/18
51	Floribunda rose plant named 'WEKbipuhit'	PP 11,513	9/19/00	11/23/18
52	Floribunda rose plant named 'WEKplapic'	PP 11,517	9/29/00	11/23/18
53	Climbing rose plant named 'WEKroalt'	PP 11,518	9/26/00	11/23/18
54	Miniature rose plant named 'WEKcatlart'	PP 12,327	1/1/02	12/16/19
55	Floribunda rose plant named 'PRObril'	PP 12,645	5/21/02	1/20/20
56	Climbing rose plant named 'WEKsamsou'	PP 13,107	10/22/02	1/2/21
57	Shrub rose plant named 'Wekpipogop'	PP 13,113	10/22/02	1/2/21
58	Hybrid tea rose plant named 'WEKpearl'	PP 13,115	10/22/02	11/17/20

59	Hybrid tea rose plant named 'WEKquaneze'	PP 13,120	10/22/02	11/17/20
60	Shrub rose plant named 'FRYyeoman'	PP 13,268	11/26/02	12/14/20
61	Shrub rose plant named 'WEKSTEPHITSU'	PP 13,449	1/7/03	10/15/21
62	Floribunda rose plant named 'WEKvosuimp'	PP 13,509	1/28/03	11/27/21
63	Miniature rose plant named 'WEKsnacare'	PP 13,514	1/28/03	11/27/21

## U.S. Patent Applications

No.	Title	Serial No.	Filing Date
1	Hybrid tea rose plant named 'WEKCHRISG'	09/981,227	10/15/01
2	Miniature rose plant named 'WEKYEGI'	10/075,805	10/25/01
3	Shrub rose plant named 'WEKajazoul'	09/918,155	7/30/01
4	Hybrid tea rose plant named 'Wekosomit'	10/055,742	10/25/01
5	Shrub rose plant named 'CHEwily'	09/771,903	1/29/01
6	Heart 'N' Soul 'ORApaymel'	10/243,163	9/13/02
7	Marilyn Monroe 'WEKsunspat'	10/243,203	9/13/02
8	Octoberfest 'MAClanter'	09/432,846	11/2/99

## Patent Licenses (Licensee)

No.	LICENSOR
1	A. Michael Dykstra
2	Agnes Winchel
3	Bailey Nurseries, Inc
4	Certified Roses, Inc.
5	Chris Greenwood
6	Devor Nurseries Inc.
7	Roses By Fred Edmunds, Inc., d/b/a Edmunds' Roses
8	Etablissements Horticoles Orard
9	Evan H. Wathen
10	Frank Strickland
11	Fryer's Nurseries Ltd.
12	Harkness New Roses, Ltd.
13	Harlane Company, Inc.
14	Heirloom Old Garden Roses
15	Jackson & Perkins Wholesale, Inc.
16	Joy Creps (Weddle)
17	Lawrence E. Meyer
18	Lowe's Own Root Roses
19	Nor'east Miniature Roses, Inc.
20	Poulsen Roser Pacific, Inc.
21	Sam McGredy Roses International

22	Sequoia Nursery
23	Swane's Nursery (Weatherly)
24	The Conard-Pyle Co.
25	Verona Weeks
26	Warner's Roses

**Schedule B  
to  
Notice of Security Interest in Patents and Trademarks**

**Trademarks and Trademark Licenses**

**Weeks Wholesale Rose Grower**  
430 East 19th Street  
Upland, CA 91784

**U.S. Federal Trademarks**

	<b>Serial</b>	<b>Reg.</b>	<b>Mark</b>	<b>Status</b>
1	76164854		LEAF N' BUD	Pending Application