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(Rev. 10/02)
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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.

1. Name of conveying party(ies):

John Zelenka Evergreen Nursery, Inc. d/b/a:
Zelenka Nursery, Inc.

- Individual(s)
- General Partnership
- Corporation-State
- 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: 24 October 2003

2. Name and address of receiving party(ies)

Name: Judkins Nursery, Inc.

Internal

Address:

Street Address: P.O. Box 260

City: Tahlequah State: OK Zip: 74465

- Individual(s) citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State Tennessee
- 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

OPR/FINANCE
2003 NOV 26 AM 8:01

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s) 2,214,997;

2,160,863; 2,092,873; 1,883,820

Additional number(s) attached Yes No

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

Name: GABLE & GOTWALS

Internal Address: Attn: IPSP

Street Address: 100 W. Fifth St., 10th Floor

City: Tulsa State: OK Zip: 74103

6. Total number of applications and registrations involved: 4

7. Total fee (37 CFR 3.41).....\$ 100.00

- Enclosed
- Authorized to be charged to deposit account any fee deficiency or credit

8. Deposit account number:

Charge any fee deficiency to: 50-1971

Authorized by: Amy C. Farr
Amy C. Farr

DO NOT USE THIS SPACE

9. Signature.

Michael E. Sellers

Name of Person Signing
PTO Reg. No. 39,831

Michael E. Sellers
Signature

21 November 2003

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

11/28/2003 LMUELLER 00000032 501971 2214997

01 FC:8521 40.00 OP
02 FC:8522 15.00 DA 60.00 OP

TRADEMARK
REEL: 002870 FRAME: 0989

ASSIGNMENT OF MARKS AND FEDERAL REGISTRATIONS

THIS ASSIGNMENT is made and entered into by John Zelenka Evergreen Nursery, Inc., a Michigan corporation d.b.a Zelenka Nursery, Inc. ("Assignor") in favor of Judkins Nursery, Inc., a Tennessee corporation ("Assignee").

WHEREAS, Assignor owns the various names and marks that it has utilized in connection with its nursery business, including the marks listed on Exhibit 1 hereto, and the goodwill associated with and symbolized by the foregoing (collectively, the "Names and Marks");

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged,

Assignor warrants and represents to Assignee that it has no actual knowledge of any claim, past or present, actual or threatened, asserting adverse use by Assignor of the Names and Marks.

Assignor hereby assigns and transfers to Assignee all rights, title, and interest in and to the Names and Marks, including the service marks and United States registrations thereof listed on Exhibit 1 hereto, together with the goodwill of the business associated with and symbolized by the Names and Marks, and including the right to sue for past, present or future infringement thereof.

Assignor agrees to execute such additional documents as may be reasonably requested by Assignee to further evidence or perfect the foregoing assignment.

JOHN ZELENKA
EVERGREEN NURSERY, INC.

By: *Thomas Ablum*
Its: Chairman of the Board

State of Illinois)
)
County of COOK)

Signed and sworn to before me on the 24th day of October, 2003, by
Thomas Ablum as Chairman of the Board of John Zelenka
Evergreen Nursery, Inc.

(Seal)

Rosemary L. Schuetz
Signature of Notary Public



Exhibit 1

Registered Trademarks and Applications

<u>Country</u>	<u>Mark</u>	<u>Reg. No.</u>
U.S.	NATURAL LIFE	2,214,997
U.S.	NATURAL LIFE and design	2,160,863
U.S.	SELECTED FOR SUMMER	2,092,873
	PLANTING and design	
U.S.	NATURE'S PROMISE	1,883,820

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