

02-18-2004

Washington, D.C. 20231

Form PTO-1594 (Rev. 03/01)



102670556

J.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

J.M.S.

To the honorable Commissioner of Patents and Trademarks: Please record the attached original document or copy thereof:

1. Name of Conveying Party(ies):

Verdant Brands, Inc. 2-5-04

- Individual(s)
- General Partnership
- Corporation-State
- Other:

Association
Limited Partnership
Minnesota

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

2. Name and Address of Receiving Party(ies):

Name: Value Garden Supply LLC
Street Address: Suite 113
Street Address: 9100 West Bloomington Freeway
City: Bloomington
State/Country: Minnesota Postal Code: 55431

- Individual Citizenship
- Association
- General Partnership
- Limited Partnership
- Corporation-State Minnesota
- Other

3. Nature of Conveyance:

- Assignment
- Security Agreement
- Other:

Corrective Assignment Reel 2523, Frames 348-354; Erroneously recorded against Reg. No. 767,800, which was not assigned to Assignee, as shown in the recorded document.

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) and address(es) attached? Yes No

Execution Date: May 1, 2002

4. Application Number(s) or Registration Number(s):

A. Trademark Application Number(s):

B. Trademark Registration Number(s): 767,800

Additional numbers attached? Yes No

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

CUSTOMER NUMBER 00136 -or-
JACOBSON HOLMAN PLLC
400 Seventh Street, N.W.
Washington, D.C. 20004-2218
Tel. 202-638-6666

Attorney Docket Number: 12625/T-32307US1

6. Total number of applications and registrations involved: 1

7. Total Fee (37 CFR 3.41): \$45.00

- Enclosed
- Any deficiencies in enclosed fees are authorized to be charged to Deposit Account No. 06-1358.

40.00 DP

DO NOT USE THIS SPACE

8. 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.

Harvey B. Jacobson, Jr.

Harvey B. Jacobson, Jr. [Signature]

February 5, 2004

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and documents:

02/17/2004 J. MUELLER 0000227 767800

01 FC:0521

06-12-2002



102119985

To the Commissioner of Patent and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):
Verdant Brands, Inc.
6.7.02
 Individuals Association
 General Partnership Limited Partnership
 Corporation-State of Minnesota
Other: _____
Additional name(s) of conveying party(ies) attached? Yes No

2. Name and address of receiving party(ies):
Value Garden Supply LLC
Suite 113
9100 West Bloomington Freeway
Bloomington, Minnesota 55431
 Individual(s) citizenship Association
 General Partnership Limited Partnership
 Corporation-State of Minnesota
Other: _____
If assignee is not domiciled in the United States, a domestic representative designation is attached:
 Yes No
(Designations must be separate document from Assignment)
Additional name(s) & address(es) attached? Yes No

3. Nature of conveyance:
 Assignment Merger
 Security Agreement Change of Name
Other: _____
Execution Date: May 1, 2002

4. Application number(s) or trademark number(s):
A. Trademark Application No.(s)/ Mark(s)
B. Trademark Reg. No.(s)/Mark(s)
See attached Exhibit A
Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:
Name: Linda M. Byrne
Address: MERCHANT & GOULD P.C.
P.O. Box 2910
Minneapolis, MN 55402-0910

6. Total number of applications and trademarks involved: 26
7. Total fee (37 CFR 3.41): \$665.00
 Enclosed
 Authorized to be charged to deposit account
8. Please charge any additional fees or credit any overpayments to our Deposit account number: 13-2725

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.
Linda M. Byrne
Name of Person Signing
Linda M. Byrne
Signature
May 31, 2002
Date

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

Do not detach this portion

Mail documents to be recorded with required cover sheet information to

Commissioner for Patents and Trademarks
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 the 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.

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01 FC:481 40.00 UP
02 FC:482 625.00 UP

TRADEMARK
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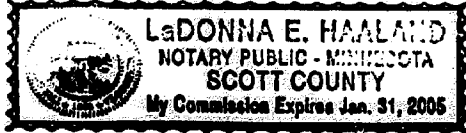
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ASSIGNMENT OF TRADEMARKS

WHEREAS, Verdant Brands, Inc., a Minnesota corporation having a former address of 9555 James Avenue South, Suite 200, Bloomington, Minnesota 55431, has adopted and used the marks listed in attached Exhibit A; and

WHEREAS, Value Garden Supply LLC of 9100 West Bloomington Freeway, Suite 113, Bloomington, Minnesota, 55431 has acquired said trademarks;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, Verdant Brands, Inc. has assigned and does hereby assign to Value Garden Supply LLC all right, title and interest in and to the trademarks listed in attached Exhibit A, together with the goodwill of the business symbolized by the marks.



H. Michael Blair

H. Michael Blair
Chief Financial Officer
Verdant Brands, Inc.

State of Minnesota)
)SS.
County of Hennepin)

On this 1 day of May, 2002, before me appeared H. Michael Blair, the person who signed this instrument, who acknowledged that he signed it as a free act on behalf of Verdant Brands, Inc.

LaDonna E. Haaland

Notary Public

RECORDED: 06/07/2002

TRADEMARK
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TRADEMARK
REEL: 002914 FRAME: 0494

**U.S. TRADEMARK REGISTRATIONS
IN THE NAME OF VERDANT BRANDS, INC.**

<u>M&G No.</u>	<u>Mark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>	<u>Goods</u>	<u>Status</u>
13649.15US02	WEED OUT	2,285,020	October 12, 1999	Herbicides for domestic use	Decl. of Use due 10/12/05
13649.19US01	MOLE FREE	2,293,257	November 16, 1999	Mole repellents	Decl. of Use due 11/16/05
13649.6US01	ULTRASTOP	2,269,527	August 10, 1999	Pesticides, insecticides and herbicides for domestic and commercial use	Decl. of Use due 8/10/05
13649.8US01	WILDFIRE	2,438,757	March 27, 2001	Pesticides, insecticides and herbicides for domestic and commercial use	Decl. of Use due 03/27/2007
13649.20US01	SURECO	2,238,032	April 13, 1999	Distributorships in the field of pesticides, insecticides, fungicides, herbicides, deodorized kerosene oil, and fertilizers	Decl. of Use due 04/13/05
13649.32US01	SUREPACK (Stylized)	2,101,479	September 30, 1997	Packaging articles including insecticides, herbicides, weedicides, rodenticides, fungicides, algacides, parasiticides, nematocides for agricultural, horticultural, veterinary, poultry, household, and sanitary uses to order and specifications of others	Decl. of Use due 9/30/03
13649.28US02	BLACK LEAF & Design	2,103,246	October 7, 1997	Lawn and garden products, namely, insecticides, weedicides, rodenticides, fungicides, algacides, parasiticides, nematocides for agricultural, horticultural, veterinary, poultry, household, and sanitary uses	Decl. of Use due 10/7/03
13649.11US01	MULTITUDE	2,085,021	July 29, 1997	Insecticides for domestic use	Decl. of Use due 7/29/03
13649.23US01	DE-MIZE & Design	1,975,052	May 21, 1996	Chemicals, namely rodenticides	Decl. of Use due 5/21/02
13649.29US01	RIGO	2,076,787	July 8, 1997	Pesticides, insecticides, herbicides and rodenticides for agricultural, domestic and industrial use	Decl. of Use due 7/8/03

**TRADEMARK
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**TRADEMARK
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<u>M&G No.</u>	<u>Mark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>	<u>Goods</u>	<u>Status</u>
13649.22US01	NEAT 'N CLEAN	1,978,423	June 4, 1996	Herbicide for domestic yard and garden use	Decl. of Use due 6/4/02
13649.33US01	MIST-R-BUG	1,978,422	June 4, 1996	Insecticides for domestic use	Decl. of Use due 6/4/02
13649.31US01	ALLPRO & Design	2,024,453	December 17, 1996	Pesticides for use by professional exterminators for structural pest control	Decl. of Use due 12/17/02
13649.12US01	GRASS-OUT!	1,749,794	February 2, 1993	Chemical preparations (i.e., selective post- emergent systemic herbicides) to kill and control annual and perennial grass weeds	Renewal due 2/2/03
13649.13US01	BARREN	1,749,793	February 2, 1993	Chemical preparations (i.e., non-selective herbicides) to kill vegetation (i.e., weeds and grasses) and control re-growth	Renewal due 2/2/03
13649.14US01	PREDATOR	1,726,959	October 27, 1992	Chemical preparations for destroying or controlling vermin, and preparations for killing weeds	Renewal due 10/27/02
13649.34US01	SMCP & Design	1,449,112	July 28, 1987	Fertilizers, insecticides, fungicides, herbicides and rodenticides	Renewal due 7/28/07
13649.35US01	PARA-BLOX	1,255,058	October 25, 1983	Rat bait	Renewal due 10/25/03
13649.15US01	WEED OUT!	1,407,204	August 26, 1986	Herbicide	Renewal due 8/26/06
13649.18US01	DEXOL	1,241,707	June 14, 1983	Garden and plant chemicals, name: compost chemical additive, fish emulsion, soluble iron, plant starter, root stimulator, tomato plant fertilizer, leaf waxer and shiner, stump destroyer, root destroyer, pesticides, insect repellents for killing insects, spray for killing insects in dormant plants, fungicide, herbicide, insecticidal and herbicidal soil fumigants, and miticide; garden hand tools, namely, hand operated fertilizer spreaders, sprayers, diggers, and weeders; wooden plant poles and stakes, plant and garden ties not made of metal in the nature of a fastener	Renewal due 6/14/03

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<u>M&G No.</u>	<u>Mark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>	<u>Goods</u>	<u>Status</u>
13649.24US01	SNAILICIDE	1,115,917	April 3, 1979	Snail, slug and insect killing preparation	Renewal due 4/3/09
13649.26US01	ROSE GUARD	862,234	December 24, 1968	Combination insecticide, herbicide, and plant food for roses	Renewal due 12/24/08
13649.30US01	KILL-KO	658,408	February 18, 1958	Preparation for destroying rodents	Renewal due 2/18/08
13649.28US01	BLACK LEAF & Design	626,735	May 15, 1956	Insecticides, weedicides, rodenticides, fungicides, algacides, parasiticides, nematocides for agricultural, horticultural, veterinary, poultry, household, and sanitary uses	Renewal due 5/15/06
13649.25US02	NICO-FUME	46,922	October 17, 1905	Nicotin solution and paper saturated therewith	Renewal due 10/17/05
13649.27US01	BLACK LEAF (stylized)	47,058	October 24, 1905	Tobacco extracts	Renewal due 10/24/05
N/A	WEEDAWAY	767,800	April 7, 1964	Herbicides	Renewal due 4/7/04
N/A	BIO-CHARGE	1,739,309	December 15, 1992	Combination of enzymes and microorganisms; namely, a compost inoculant used primarily for decomposing organic matter	Renewal due 12/15/02

Handwritten initials/signature

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**FOREIGN TRADEMARK REGISTRATIONS
IN THE NAME OF VERDANT BRANDS, INC.**

<u>M&G No.</u>	<u>Mark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>	<u>Country</u>
13649.5-CA-01	FOREVER GREEN	346,549	October 14, 1988	Canada
13649.21-CA-01	VERDANT BRANDS	885,611	July 27, 1998	Canada
13649.36-CA-01	VERDANT BRANDS & Design	885,612	July 21, 1998	Canada

**TRADEMARK
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**TRADEMARK
REEL: 002914 FRAME: 0498**



EXHIBIT A

MINNESOTA TRADEMARK REGISTRATIONS
IN THE NAME OF VERDANT BRANDS, INC.

<u>M&G No.</u>	<u>Mark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>
13649.7-MN-01	SURE START	26942	December 10, 1997

TRADEMARK
REEL: 002523 FRAME: 0353

TRADEMARK
REEL: 002914 FRAME: 0499