

02-25-2004



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

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

102676922

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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):

Judkins Nursery, Inc.

2-23-04

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

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

2. Name and address of receiving party(ies)

Name: Zelenka Nursery, L.L.C.

Internal Address: 16127 Winans Street

Street Address: _____

City: Grand Haven State: MI Zip: 49417

- Individual(s) citizenship _____
- Association _____
- General Partnership _____
- Limited Partnership _____
- Corporation-State _____
- Other Oklahoma Limited Liability Company

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: 02/13/2004

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 West 5th 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).....\$ 160.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

50-1971

OPR/FINANCE
2004 FEB 23 AM 8:31

DO NOT USE THIS SPACE

9. Signature.

LMUELLER 00000069 2214997

Michael E. Sellers, Reg. No. 99,831

Name of Person Signing

Michael E. Sellers
Signature

2-19-2004
Date

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

02/24/2004
01 FC:8521
02 FC:8522

Refund Ref:
02/24/2004 LMUELLER 0000134274

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

CHECK Refund Total: \$45.00

TRADEMARK
REEL: 002917 FRAME: 0508

ASSIGNMENT OF MARKS AND FEDERAL REGISTRATIONS

THIS ASSIGNMENT is made and entered into this 13th day of February, 2004, by **JUDKINS NURSERY, INC.**, a Tennessee corporation ("Assignor") in favor of **ZELENKA NURSERY, L.L.C.**, an Oklahoma limited liability company ("Assignee").

WHEREAS, Assignor is the owner by assignment of various names and marks that are used in connection with a nursery business, including the marks listed in Exhibit 1 hereto, along with the goodwill associated with and symbolized by the names and marks (collectively, the "Names and Marks");

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

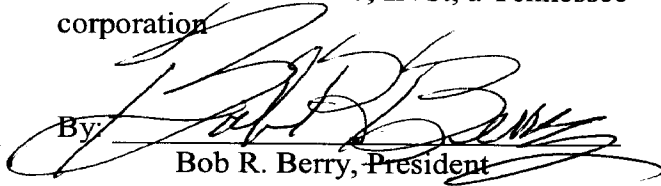
Assignor warrants and represents to Assignee that it has no knowledge of any claim, past or present, actual or threatened, asserting adverse use by Assignor of the Names and Marks.

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.


IN WITNESS WHEREOF, Assignor has executed this Assignment effective as of the date shown above.

JUDKINS NURSERY, INC., a Tennessee corporation

By: 
Bob R. Berry, President

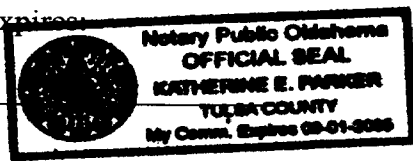
STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

Signed and sworn to before me on the 13th day of February, 2004, by Bob R. Berry as President of Judkins Nursery, Inc., a Tennessee corporation.


Katherine E. Parker
Notary Public

Notary Commission No. 01013956

My Commission Expires:



[S E A L]

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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