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DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office



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RECORD/ TRAL 103014340  
2005 MAY 31 PM 2:15

To the Director of the U. S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

**FINANCE SECTION**

**1. Name of conveying party(ies):**  
B4 Enterprises, Inc.

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

Citizenship (see guidelines) \_\_\_\_\_  
Additional names of conveying parties attached?  Yes  No

**2. Name and address of receiving party(ies)**  Yes  No  
Additional names, addresses, or citizenship attached?  
Name: Master Nursery Garden Centers, Inc.  
Internal Address: \_\_\_\_\_  
Street Address: 2211 Olympic Boulevard  
City: Walnut Creek  
State: CA  
Country: USA      Zip: 94595

Association      Citizenship \_\_\_\_\_  
 General Partnership      Citizenship \_\_\_\_\_  
 Limited Partnership      Citizenship \_\_\_\_\_  
 Corporation      Citizenship USA  
 Other \_\_\_\_\_      Citizenship \_\_\_\_\_

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)

**3. Nature of conveyance /Execution Date(s) :**  
Execution Date(s) January 15, 2005

Assignment       Merger  
 Security Agreement       Change of Name  
 Other \_\_\_\_\_

**4. Application number(s) or registration number(s) and identification or description of the Trademark.**  
A. Trademark Application No.(s) \_\_\_\_\_  
B. Trademark Registration No.(s) 2,262,305

Additional sheet(s) attached?  Yes  No

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):  
Display system comprising display racks for use in displaying seasonal merchandise.

**5. Name & address of party to whom correspondence concerning document should be mailed:**  
Name: James N. Dawe, Esq.  
Internal Address: \_\_\_\_\_  
Street Address: Greene Radovsky Maloney & Share  
Four Embarcadero Center, Suite 4000  
City: San Francisco  
State: CA      Zip: 94111  
Phone Number: (415) 981-1400  
Fax Number: (415) 777-4961  
Email Address: jdawe@grmslaw.com

**6. Total number of applications and registrations involved:** 1

**7. Total fee (37 CFR 2.6(b)(6) & 3.41)** \$ 40.00  
 Authorized to be charged by credit card  
 Authorized to be charged to deposit account  
 Enclosed

**8. Payment Information:**  
a. Credit Card      Last 4 Numbers \_\_\_\_\_      Expiration Date \_\_\_\_\_  
b. Deposit Account Number \_\_\_\_\_  
Authorized User Name \_\_\_\_\_

**9. Signature:** \_\_\_\_\_      May 27, 2005  
Signature      Date  
James N. Dawe  
Name of Person Signing

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

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Documents to be recorded (including cover sheet) should be faxed to (703) 306-5995, or mailed to:  
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

TRADEMARK  
REEL: 003168 FRAME: 0648

## ASSIGNMENT

WHEREAS, B4 Enterprises, Inc., an Illinois corporation, having its principal place of business at 119 Butterfield Road, North Aurora, Illinois 60542 (hereinafter referred to as "B4"), is the owner of trademark Registration No. 2,262,305, issued July 20, 1999, for the mark "FLAT-TASTIC" for Display System Comprising Display Racks for Use in Displaying Seasonal Merchandise; and

WHEREAS, Master Nursery Garden Centers, Inc., a California mutual benefit corporation, having its principal place of business at 2211 Olympic Boulevard, Walnut Creek, California 94595 (hereinafter referred to as "Masters"), is desirous of acquiring all rights, title and interest in and to said mark and said registration;

NOW, THEREFORE, for good and valuable consideration received by B4 from Masters, the receipt of which in full is hereby acknowledged by B4:

1. B4 sells, assigns, transfers, quitclaims and sets over to Masters, effective as of January 15, 2005, any and all rights, title and interest B4 may have in and to United States Trademark Registration No. 2,262,305, issued July 20, 1999, for the mark "FLAT-TASTIC" for Display System Comprising Display Racks for Use in Displaying Seasonal Merchandise, together with the goodwill of the business symbolized by said trademark. Without limiting the generality of the foregoing:

A. B4 assigns to Masters, effective as of January 15, 2005, all right, title and interest in and to any and all causes of action and rights of recovery for past infringement of the trademark herein assigned.

B. B4 sells, assigns, transfers and quitclaims to Masters, effective as of January 15, 2005, all rights and interest acquired by B4 pursuant to the terms and provisions of any contract, written or oral, license, deed, assignment or other document by which B4 became vested with the ownership of or acquired or retained any other interest in the trademark herein assigned.

2. B4 hereby covenants and agrees to cooperate with Masters, whereby the latter may enjoy to the fullest extent the rights, title and interest herein conveyed.

3. B4 hereby represents that it has no knowledge of any assignment, contract or understanding entered into with third parties that appear to be in conflict herewith.

4. The terms, covenants and provisions of this Assignment shall inure to the benefit of Masters, its successors, assigns and other legal representatives, and shall be binding upon B4, its successors, assigns and other legal representatives.

IN WITNESS WHEREOF, said B4 has caused this Assignment to be executed and delivered by its duly authorized representative as of this 15<sup>th</sup> day of January, 2005.

B4 Enterprises, Inc.,  
an Illinois corporation

By: *Thomas E. Burgess*  
Name: *Thomas E. Burgess*  
Title: *MES.*

STATE OF ILLINOIS )  
 )  
COUNTY OF KANE )

ss.

On 17 May, 2005, before me, Kristina Shimko, a Notary Public for the State of ILLINOIS, personally appeared Thomas E. Burgess, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

(SEAL)

*Kristina Shimko*  
(Signature)

