

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
Cushman Fruit Company, Inc.		08/07/2008	CORPORATION: FLORIDA

RECEIVING PARTY DATA

Name:	Harry and David
Street Address:	2500 South Pacific Highway
City:	Medford
State/Country:	OREGON
Postal Code:	97501
Entity Type:	CORPORATION: OREGON

PROPERTY NUMBERS Total: 11

Property Type	Number	Word Mark
Registration Number:	2061008	CUSHMAN HONEYBELLS
Registration Number:	3471831	HONEYBELL KISSES
Registration Number:	3471844	HONEYBELLS SUPREME
Registration Number:	3471810	ROYAL TANDORA
Registration Number:	3475754	WHAT THE DEVIL IS THIS?
Registration Number:	1311329	WORLD'S ONLY LIMITED EDITION FRUIT
Registration Number:	2176185	BLOOD'S HAMMOCK GROVES
Registration Number:	2228781	FLORIDA'S MOST PAMPERED FRUIT
Serial Number:	77490481	CUSHMAN'S
Serial Number:	77350701	YOUR FLORIDA SUNSHINE HAS ARRIVED
Serial Number:	77350679	YOUR JANUARY SUNSHINE HAS ARRIVED

CORRESPONDENCE DATA

Fax Number: (212)755-7306
Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

CH \$290.00 2061008

Phone: 212-326-3717
Email: nazoubek@jonesday.com
Correspondent Name: Nancy A. Zoubek, Esq., Jones Day
Address Line 1: 222 East 41st Street
Address Line 4: New York, NEW YORK 10017

ATTORNEY DOCKET NUMBER:	664382-640002
NAME OF SUBMITTER:	Nancy A. Zoubek
Signature:	/Nancy A. Zoubek/
Date:	08/20/2008

Total Attachments: 7

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TRADEMARK ASSIGNMENT

This Assignment is made effective as of August 7, 2008, by Cushman Fruit Company, Inc., a Florida corporation, ("Assignor"), in favor of Harry and David, an Oregon corporation ("Assignee").

WHEREAS, Assignor is the owner of the entire right, title and interest in and to the trademark registrations and applications listed in Schedule A hereto (collectively, the "Marks");

WHEREAS, Assignee is desirous of securing the entire right, title, and interest in and to (a) the Marks, and all other indications of source, relating to the Business (as defined in that certain Asset Purchase Agreement dated as of August 7, 2008 (the "Agreement"), among Assignee, Assignor, and the individuals parties thereto), and the business relating to the Intellectual Property (as defined in the Agreement), including, without limitation, in and to all trademarks, service marks, trade names, brand names, trade dress, and other identifications relating to the Business, together with the goodwill associated with the foregoing and the ongoing and existing business to which the trademarks pertain; (b) any extension or renewal of any such registration or application set forth in the immediately preceding clause (a); (c) any unregistered rights in any of the foregoing; (d) all rights therein provided by international treaties and conventions, and all rights to obtain trademarks and registrations thereto, in each case in all countries throughout the world; and (e) all rights to sue and recover damages or obtain injunctive relief for past and future infringement, misappropriation, violation or breach of any of the foregoing (the items in the immediately preceding clauses (a) through (e) are collectively referred to herein as the "Assigned Intellectual Property").

NOW THEREFORE, be it known that, for and in consideration of good and valuable consideration, the receipt and adequacy of which is acknowledged, Assignor, as owner, has sold, assigned, transferred, and set over, and does hereby sell, assign, transfer, and set over, unto the Assignee and its lawful successors and assigns, Assignor's entire right, title, and interest in and to the Assigned Intellectual Property in all countries throughout the world, and Assignor hereby authorizes and requests any official of any country whose duty it is to issue registrations thereon to issue same to Assignee and its successors and assigns, in accordance with the terms of this Assignment;

AND, Assignor HEREBY covenants that it has the full right to convey the interests assigned by this Assignment, and Assignor has not executed and will not execute any agreement in conflict with this Assignment;

AND, Assignor HEREBY covenants and agrees that it will, without further consideration, (i) execute and deliver any and all papers that may be necessary or desirable to perfect the title to the Assigned Intellectual Property in said Assignee and its successors or assigns, in all countries, it being understood that any expense incident to the execution of such papers shall be borne by the Assignee and its successors and assigns; and (ii) cooperate, and request that each past or present employee, consultant, representative, contractor, agent or other individual under the custody or control of Assignor to cooperate, with Assignee, its attorneys, agents, successors and assigns, to transfer title in, to file, prosecute, obtain, maintain, assert,

enforce and defend and otherwise protect any and all of the Assigned Intellectual Property and/or Assignee's ownership interest therein.

AND, Assignor HEREBY further covenants that it shall make no further use of the Assigned Intellectual Property for its own benefit or the benefit of another, nor shall Assignor challenge Assignee's use of the Assigned Intellectual Property after the date of this Assignment.

[Signatures on Following Page.]

IN WITNESS WHEREOF, the said Assignor has executed this document.

CUSHMAN FRUIT COMPANY, INC.

Dated: August 7, 2008

By: *Edward C. Palmer*
Name: EDWARD C. PALMER
Title: Pres.

IN WITNESS WHEREOF, the said Assignee has executed this document.

HARRY AND DAVID

Dated: August , 2008

By: _____
Name:
Title:

IN WITNESS WHEREOF, the said Assignor has executed this document.

CUSHMAN FRUIT COMPANY, INC.

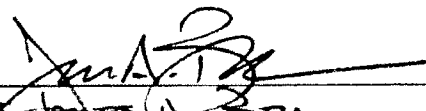
Dated: August , 2008

By: _____
Name:
Title:

IN WITNESS WHEREOF, the said Assignee has executed this document.

HARRY AND DAVID

Dated: August 7, 2008

By: 
Name: James A. Ben
Title: SVP Finance

NOTARIAL CERTIFICATE

UNITED STATES OF AMERICA)
STATE OF Florida : ss.:
COUNTY OF Palm Beach)

I, Joanne M. Mapes, the undersigned Notary Public do hereby certify
that Edward A. Cushman, Jr., as President of Cushman Fruit Company, Inc., a Florida
corporation ("Assignor"), who signed the foregoing Assignment document, was authorized on
the 8th day of August, 2008, to execute the foregoing Assignment document on behalf of
Assignor and to me acknowledged that he did sign the said document.

(STAMP AND SEAL)

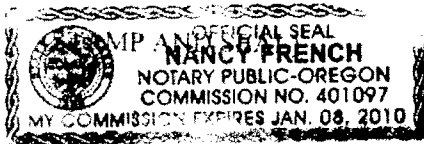
Joanne M. Mapes
Notary Public



NOTARIAL CERTIFICATE


UNITED STATES OF AMERICA)
STATE OF Oregon : ss.:
COUNTY OF Jackson)

I, Nancy French, the undersigned Notary Public do hereby certify
that James A. Bell, as SUP. FINANCE of Harry and David, an Oregon corporation
("Assignee"), who signed the foregoing Assignment document, was authorized on the 2 day of
August, 2008, to execute the foregoing Assignment document on behalf of Assignee and to me
acknowledged that he did sign the said document.



Nancy French
Notary Public

Schedule A

Country/State	Mark	Appl. No.	Appl. Date	Reg. No.	Reg. Date	Status
United States	CUSHMAN HONEYBELLS	75085270	4/8/1996	2061008	5/13/1997	Registered
United States	CUSHMAN'S	77490481	6/4/2008			Pending
United States	HONEYBELL KISSES	77350336	12/12/2007	3471831	7/22/2008	Registered
United States	HONEYBELLS SUPREME	77350648	12/12/2007	3471844	7/22/2008	Registered
United States	ROYAL TANDORA	77349638	12/11/2007	3471810	7/22/2008	Registered
United States	WHAT THE DEVIL IS THIS?	77350037	12/12/2007	3475754	7/29/2008	Registered
United States	WORLD'S ONLY LIMITED EDITION FRUIT	73415233	2/28/1983	1311329	12/25/1984	Registered
United States	YOUR FLORIDA SUNSHINE HAS ARRIVED	77350701	12/12/2007			Pending
United States	YOUR JANUARY SUNSHINE HAS ARRIVED	77350679	12/12/2007			Pending
United States	BLOOD'S HAMMOCK GROVES and Design 	75208245	10/4/1996	2176185	7/28/1998	Registered
United States	FLORIDA'S MOST PAMPERED FRUIT	75456824	3/26/1998	2228781	3/2/1999	Registered
Florida	CUSHMAN HONEYBELLS			917465	5/7/1977	Registered
Florida	GROVE GIFT & GOURMET			T961380	12/10/1996	Registered