

8-11-09

08-13-2009

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FORM PTO-1595

CORRECTIVE RECORDATION FORM COV

1.31-92

TRADEMARKS ONLY

103570693

DIRECTOR OF PATENTS AND TRADEMARKS

P.O. BOX 1450

ALEXANDRIA, VA 22313-1450

To the Director of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of Conveying Party(ies):

Bear Creek Gardens, Inc.

- Individual(s)
- General partnership
- Corporation- Delaware
- 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
- Correction - Removal of Reg. No. 2,268,422 from Name Change previously recorded at Reel/Frame No. 2332/0637**

Execution Date: October 18, 2000

2. Name and address of receiving party(ies):

Name: Jackson & Perkins Wholesale, Inc.

Internal Address:

Street Address: 2518 South Pacific Highway
City Medford State Oregon ZIP 97501

Individual(s) Citizenship

Association

General Partnership

Limited Partnership

Corporation-State Delaware

Other

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No

(Designation must be a separate document from Assignment)

Additional name(s) & address(es) attached? Yes No

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

A. Trademark Application No.(s)

1,464,781

B. Trademark Registration No.(s)

Additional numbers attached? Yes No

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

Name: David P. Petersen
Klarquist Sparkman, LLP
One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204-2988

Telephone: 503-595-5300
Facsimile: 503-595-5301

6. Total number of applications and registrations involved: 1

7. Assignment fee previously paid (see enclosure)

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.

David P. Petersen

/David P. Petersen/

August 11, 2009

Name of Person Signing

Signature

Date

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

KSK:trw 06/29/01 2747-32742 59335

FORM PTO-1595
1-31-92U.S. DEPARTMENT OF COMMERCE
Patent and Trademark OfficeRECORDATION FORM COVER SHEET
TRADEMARKS ONLY

To the Director of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of Conveying Party(ies):

Bear Creek Gardens, Inc.

- Individual(s) Association
 General partnership Limited Partnership
 Corporation- Delaware
 Other

Additional name(s) of conveying party(ies) attached? YES NO

3. Nature of Conveyance:

- Assignment Merger
 Security Agreement Change of Name
 Other

Execution Date: October 18, 2000

2. Name and address of receiving party(ies):

Name: Jackson & Perkins Wholesale, Inc.

Internal Address:

Street Address: 2518 South Pacific Highway

City Medford State Oregon ZIP 97501

 Individual(s) Citizenship Association General Partnership Limited Partnership Corporation-State

Delaware

 OtherIf assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No

(Designation must be a separate document from Assignment)

Additional name(s) & address(es) attached? Yes No

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

A. Trademark Application No.(s)

See Schedule A (attached)

B. Trademark Registration No.(s)

See Schedule A (attached)

Additional numbers attached? Yes No

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

Name: Kenneth S. Klarquist
Klarquist Sparkman Campbell Leigh & Whinston, LLP

Internal Address:

One World Trade Center, Suite 1600

Street Address:

121 S.W. Salmon Street

Portland, Oregon 97204-2988

6. Total number of applications and registrations involved: 21

7. Total fee (37 C.F.R. § 3.41): \$540.00

 Enclosed Any deficiency/overpayment is authorized to be charged to deposit account. A copy of this sheet is enclosed.

8. Deposit account number: 02-4550

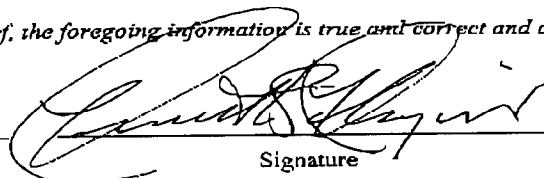
DO NOT USE THIS SPACE

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.

Kenneth S. Klarquist

Name of Person Signing



Signature

June 29, 2001

Date

Total number of pages including cover sheet, attachments and document: 4

State of Delaware
Office of the Secretary of State

PAGE 1

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "BEAR CREEK GARDENS, INC.", CHANGING ITS NAME FROM "BEAR CREEK GARDENS, INC." TO "JACKSON & PERKINS WHOLESALE, INC.", FILED IN THIS OFFICE ON THE EIGHTEENTH DAY OF OCTOBER, A.D. 2000, AT 9 O'CLOCK A.M.



Edward J. Freel
Edward J. Freel, Secretary of State
AUTHENTICATION: 0869663

2144767 8100

001612107

DATE: 12-20-00

TRADEMARK
REEL: 004045 FRAME: 0144

CERTIFICATE OF AMENDMENT OF CERTIFICATE OF INCORPORATION
OF
BEAR CREEK GARDENS, INC.

It is hereby certified that:

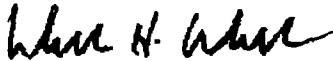
1. The name of the corporation (hereinafter called the "corporation") is Bear Creek Gardens, Inc.

2. The certificate of incorporation of the corporation is hereby amended by striking out Article One thereof and by substituting in lieu of said Article the following new Article:

"Article One: The name of the corporation is Jackson & Perkins Wholesale, Inc."

3. The amendment of the certificate of incorporation herein certified has been duly adopted and written consent has been given in accordance with the provisions of Sections 228 and 242 of the General Corporation Law of the State of Delaware.

Signed on



William H. Williams, President and Chief Executive Officer

[Faint, illegible text, possibly a stamp or faded signature]

STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 09:00 AM 10/18/2000
001526307 - 2144767