

**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
Japan Agribio Kabushiki Kaisha		09/17/2010	CORPORATION: JAPAN

**RECEIVING PARTY DATA**

Name:	Ball Horticultural Company
Street Address:	622 Town Road
City:	West Chicago
State/Country:	ILLINOIS
Postal Code:	60185
Entity Type:	CORPORATION: ILLINOIS

**PROPERTY NUMBERS Total: 9**

Property Type	Number	Word Mark
Registration Number:	2664474	EASY WAVE
Registration Number:	2263276	RIDE THE WAVE
Registration Number:	3490227	RIPPLE
Registration Number:	3327778	SHOCK WAVE
Registration Number:	2570049	TIDAL WAVE
Registration Number:	2584379	TIDAL WAVE
Registration Number:	2679268	WAVE
Registration Number:	2795591	FIRST KISS
Registration Number:	2848076	DOUBLE WAVE

**CORRESPONDENCE DATA**

Fax Number: (312)474-0448  
*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*  
 Phone: 3124746300  
 Email: janderfuren@marshallip.com  
 Correspondent Name: Marshall, Gerstein & Borun LLP

**900173954**

**TRADEMARK  
 REEL: 004296 FRAME: 0123**

**OP \$240.00 2664474**

Address Line 1: 233 S. Wacker Drive  
Address Line 2: Suite 6300  
Address Line 4: Chicago, ILLINOIS 60606-6357

ATTORNEY DOCKET NUMBER: 29973/10037

NAME OF SUBMITTER: Jill Anderfuren

Signature: /ja/

Date: 10/14/2010

Total Attachments: 3  
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TRADEMARK ASSIGNMENT

THIS ASSIGNMENT entered into between Japan Agribio Kabushiki Kaisha, (also trading as Japan Agribio Company, Limited) a Japanese Corporation, of 5-11 Irifune 1-Chome, Chuo-ku, Tokyo, 104-0042, Japan ("JAPAN AGRIBIO"), and Ball Horticultural Company, an Illinois Corporation, 622 Town Road, West Chicago, Illinois 60185 ("BALL").

WHEREAS, JAPAN AGRIBIO is the owner of all right, title and interest in and to the trademarks listed on the attached Schedule, including the goodwill of the business symbolized thereby, and the corresponding applications or registrations ("the Trademarks"); and

WHEREAS, BALL desires to acquire and JAPAN AGRIBIO wishes to assign to BALL any and all rights in and to the Trademarks and the goodwill appurtenant thereto;

NOW, THEREFORE:

In consideration of and in exchange for the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, JAPAN AGRIBIO hereby assigns to BALL all of its right, title and interest in and to the Trademarks, together with the goodwill of the business symbolized thereby, the right to sue for past infringement, the right to prosecute and maintain registrations. JAPAN AGRIBIO further agrees to fully cooperate with BALL in transferring and recording the assignment of

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these marks, including executing any documentation or taking action as necessary for recordal in the respective Trademark Offices.

Dated this 17 day of SEPTEMBER 2010.

Japan Agribio Kabushiki Kaisha

By: 

Name: AKIRA SHIMIZU

Title: PRESIDENT

Accepted:

Ball Horticultural Company

By: 

Name: Todd Frauendorfer

Title: Corporate Secretary and Treasurer

SCHEDULE

United States

<u>Mark</u>	<u>Registration No.</u>
Easy Wave	2664474
Primlet	3177668
Ride The Wave	2263276
Ripple	3490227
Shock Wave	3327778
Tidal Wave	2570049
Tidal Wave	2584379
Wave	2679268
First Kiss	2795591
Double Wave	2848076

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