

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

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| SUBMISSION TYPE: | NEW ASSIGNMENT | | |
| NATURE OF CONVEYANCE: | Correction by declaration of incorrect Registration No. 2207362 recorded at Reel/Frame 2445/0530 | | |
| CONVEYING PARTY DATA | | | |
| | Name | Formerly | Execution Date |
| | Proven Winners North America LLC | | 01/11/2012 |
| | Entity Type LIMITED LIABILITY COMPANY: CALIFORNIA | | |
| RECEIVING PARTY DATA | | | |
| Name: | Proven Winners North America LLC | | |
| Street Address: | 45 North First Street, Suite B | | |
| City: | Campbell | | |
| State/Country: | CALIFORNIA | | |
| Postal Code: | 95008 | | |
| Entity Type: | LIMITED LIABILITY COMPANY: CALIFORNIA | | |
| PROPERTY NUMBERS Total: 1 | | | |
| | Property Type | Number | Word Mark |
| | Registration Number: | 2207362 | PROVEN WINNERS |
| CORRESPONDENCE DATA | | | |
| Fax Number: | (707)255-6876 | | |
| Phone: | 707-252-7122 | | |
| Email: | tmdept@dpf-law.com | | |
| <i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i> | | | |
| Correspondent Name: | J. Scott Gerien | | |
| Address Line 1: | 809 Coombs Street | | |
| Address Line 4: | Napa, CALIFORNIA 94559 | | |
| ATTORNEY DOCKET NUMBER: | PROV1-337 | | |
| NAME OF SUBMITTER: | J. Scott Gerien | | |
| Signature: | /J. Scott Gerien/ | | |
| Date: | 02/07/2012 | | |
| Total Attachments: 1 source=_20120111_12161401#page1.tif | | | |

CH \$40.00 2207362

DECLARATION OF PROVEN WINNERS NORTH AMERICA LLC

I, MARK BROXON, hereby declare as follows:

1. I am the Executive Director of Proven Winners North America LLC ("Proven Winners"). I have personal knowledge of the facts stated herein and if called to testify upon same could and would do so willingly.

2. Proven Winners is the owner of U.S. Trademark Registration No. 2,207,362 for the mark PROVEN WINNERS in class 31 for cultivars of ornamental plants.

3. It has come to our attention that a third party has improperly made three separate recordals with the USPTO against our Registration No. 2,207,362. It appears that on two separate occasions Harris Trust and Savings Bank recorded a trademark collateral agreement dated January 24, 2002 from a company called Skagit Gardens, Inc. at Reel/Frame 2445/0530 and again at Reel/Frame 2493/0915. Harris Trust and Savings Bank then filed a Release by Secured Party back to Skagit Gardens, Inc. at Reel/Frame 3446/0888. Therefore, the current chain of title indicates that Skagit Gardens, Inc. is the owner of the registration and this is not the case.

4. The recordals referenced in paragraph 3 above were all erroneous and the owner of Registration No. 2,207,362 is Proven Winners and neither Harris Trust and Savings Bank nor Skagit Gardens, Inc. has ever had any ownership interest in this registration.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 11 day of January 2012 at Campbell, California.


MARK BROXON