

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
Emerald Lane II KVB, LLC		06/01/2012	LIMITED LIABILITY COMPANY: DELAWARE

**RECEIVING PARTY DATA**

Name:	Early Morning LLC
Street Address:	5100 Schenley Place
City:	Lawrenceburg
State/Country:	INDIANA
Postal Code:	47025
Entity Type:	LIMITED LIABILITY COMPANY: DELAWARE

**PROPERTY NUMBERS Total: 35**

Property Type	Number	Word Mark
Registration Number:	3279663	PERFECT PARTNERS
Serial Number:	78772874	SIMPLY THE BEST
Serial Number:	77368502	INSPIRATION BLENDS EXTENDED BLOOMS
Serial Number:	77368477	INSPIRATION BLENDS
Registration Number:	2167712	PERFECT PARTNERS
Registration Number:	2219473	SIMPLE PLEASURES
Serial Number:	78774760	BLUEBERRY FROSTING
Serial Number:	78774755	RAINBOW SORBET
Serial Number:	78774748	STRAWBERRY SWIRL
Serial Number:	78774743	LEMON SWIRL
Serial Number:	78774739	RASPBERRY RIPPLE
Registration Number:	3360630	THE MAGIC EGG
Registration Number:	3276882	EZ BULBS
Serial Number:	77369906	BLOOMING BUDDIES

CH \$890.00 3279663

**TRADEMARK**

Registration Number:	3768042	SLEEPING BEAUTIES
Registration Number:	3471063	DUTCH BULBS BY VAN BOURGONDIE
Registration Number:	3380512	HANS BRINKER
Serial Number:	75792420	BULBMALL.COM
Registration Number:	2582920	BULBMALL
Serial Number:	75792418	BULB MALL
Serial Number:	75755664	BLOOMING BUDDIES
Serial Number:	75631875	INSTANT WATER GARDEN
Serial Number:	75608564	GARDENS OF DISTINCTION
Serial Number:	75608550	PERENNIAL PARTNERS
Registration Number:	2364029	FLOWERING FRIENDS
Registration Number:	2279764	THE BULB LADY
Registration Number:	2161746	THE BULB LADY
Registration Number:	2132152	HANS BRINKER
Registration Number:	1854799	VAN DYCK'S
Registration Number:	1918235	CAVALIER BULB COMPANY
Registration Number:	1885160	VAN BOURGONDIE
Serial Number:	73814687	HANS BRINKER JUMBO PACK
Registration Number:	1595629	HANS BRINKER SAC-PAC
Registration Number:	1597723	HANS BRINKER MASTER GARDENER SERIES
Registration Number:	1051424	HANS BRINKER

**CORRESPONDENCE DATA**

Fax Number: 7168456474

*Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.*

Phone: 716-845-6000

Email: keagen@kavinokycook.com

Correspondent Name: Kelly E. Eagen, Esq.

Address Line 1: 726 Exchange Street, Suite 800

Address Line 4: Buffalo, NEW YORK 14210

ATTORNEY DOCKET NUMBER:	04894.22191
NAME OF SUBMITTER:	Kelly E. Eagen
Signature:	/Kelly E. Eagen/
Date:	11/20/2012

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EMERALD LANE II KVB, LLC

ASSIGNMENT OF TRADEMARKS/SERVICE MARKS

Whereas EMERALD LANE II KVB, LLC ("Emerald"), a Delaware limited liability company, has adopted and used certain trademarks, trade names and/or service marks, including but not limited to the trademarks, trade names and/or service marks listed on Schedule A attached hereto (hereinafter collectively described as the "Marks"); some of which Marks may be the subject of pending applications with the United States Patent and Trademark Office, some of which Marks may be the subject of registrations with the United States Patent and Trademark Office, some of which Marks may be the subject of pending applications with foreign trademark offices and some of which Marks may be the subject of registrations with foreign trademark offices, as more specifically described on Schedule A; and

Whereas Early Morning LLC, a Delaware limited liability company, with an office at 5100 Schenley Place, Lawrenceburg, Indiana 47025 (the "Assignee"), is desirous of acquiring said Marks and the goodwill associated therewith.


Now, therefore, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Emerald does hereby fully assign, transfer and release unto Assignee all of Emerald's right, title and interest in and to the said Marks, worldwide, including, but not limited to, all of Emerald's right, title, and interest in and to any national, foreign and United States federal and state pending applications, registrations, renewals and extensions thereof, as well as all common law rights, for such Marks, together with the goodwill of the business symbolized by the Marks and all benefits relating to the foregoing whether before or hereafter accrued (including, without limitation, the exclusive right to apply for, maintain and renew any application and registration for the Marks), free and clear of all liens, claims, encumbrances and interests of any kind. For any United States federal trademark application for which a supported claim of use has not been filed with and accepted by the United States Patent and Trademark Office as of the effective date of this Assignment, Emerald also does hereby fully assign, transfer and release unto Assignee that portion of Emerald's business to which the applicable Mark(s) pertain.

Emerald further assigns, transfers and releases to Assignee any and all royalties, income, payments and proceeds, whether now accrued or accruing in the future, as well as all claims for damages by reason of past, present or future continuing infringement of said Marks, and the right to sue for and collect the same for its own use and benefit and that of its successors, assigns, or other legal representatives.

IN WITNESS WHEREOF, the undersigned has caused this Assignment of Trademarks/Service Marks to be executed as of the day and year indicated below.

Dated: As of June 1, 2012

EMERALD LANE II KVB, LLC

By:   
Eric Hamant, President and CEO

399259.1

STATE OF Ohio )  
 ) SS:  
COUNTY OF Miami )

On the 17th day of NOVEMBER, 2012 before me the undersigned, personally appeared Eric Hamant, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within Assignment and acknowledged to me that he executed the same in his capacity as an authorized representative of Emerald Lane II KVB, LLC, and that by his signature on the Assignment he executed the Assignment on behalf of Emerald Lane II KVB, LLC, and that Eric Hamant made such appearance before the undersigned in the City of Tippah and State of OH.

Melinda M. Cundick  
Notary Public

my commission expires  
NOV. 8, 2013

**SCHEDULE A**

OWNER: Emerald Lane II KVB, LLC, a Delaware limited liability company

All trademarks, trade names and service marks owned by Emerald Lane II KVB, LLC, including, but not limited to, those identified in the below chart, as well as the below listed applications and/or registrations:

MARK	STATUS	REGISTRATION NUMBER	REGISTRATION DATE	SERIAL NUMBER	FILE DATE	COUNTRY
PERFECT PARTNERS	Registered	3279663	August 14, 2007	78848927	March 29, 2006	USA
SIMPLY THE BEST	Abandoned	N/A	N/A	78772874	December 14, 2005	USA
INSPIRATION BLENDS EXTENDED BLOOMS	Abandoned	N/A	Abandoned September 10, 2007	77568502	January 10, 2008	USA
INSPIRATION BLENDS	Abandoned	N/A	Abandoned October 30, 2008	77568477	January 10, 2008	USA
PERFECT PARTNERS	Registered	216712	June 23, 1998	75327239	July 18, 1997	USA
SIMPLE PLEASURES	Registered	2219473	January 19, 1999	75216251	December 20, 1996	USA

BLUBBERRY FROSTING	Abandoned	N/A	N/A	Abandoned June 6, 2007	78774760	December 16, 2005	USA
RAINBOW SORBET	Abandoned	N/A	N/A	Abandoned December 15, 2006	78774755	December 16, 2005	USA
STRAWBERRY SWIRL	Abandoned	N/A	N/A	Abandoned May 15, 2007	78774748	December 16, 2005	USA
LEMON SWIRL	Abandoned	N/A	N/A	Abandoned December 18, 2006	78774743	December 16, 2005	USA
RASPBERRY RIPPLE	Abandoned	N/A	N/A	Abandoned December 27, 2006	78774759	December 16, 2005	USA
THE MAGIC EGG	Registered	3360630	December 25, 2007	78772867	December 14, 2005	USA	
EZ BULBS	Registered	3276882	August 7, 2007	78635688	May 20, 2005	USA	
BLOOMING BUDDIES	Abandoned	N/A	N/A	Abandoned April 16, 2009	77369906	January 11, 2008	USA



SLEEPING BEAUTIES	Registered	3768042		March 30, 2010	77341021	November 30, 2007	USA
DUTCH BULBS BY VAN BOURGONDJEN	Registered	3471063		July 22, 2008	77318865	November 1, 2007	USA
HANS BRUNKER	Registered	3380512		February 12, 2008	77137398	March 22, 2007	USA
BULBMALL.COM	Abandoned	N/A		N/A	75792420	September 3, 1999	USA
BULBMALL	Cancelled	2582920		June 18, 2002 Cancellation Date March 21, 2009	75792419	September 3, 1999	USA
BULB MALL	Abandoned	N/A		N/A	75792418	September 3, 1999	USA
BLOOMING BUDDIES	Abandoned	N/A		N/A	75755664	June 15, 1999	USA
INSTANT WATER GARDEN	Abandoned	N/A		N/A	75631875	February 1, 1999	USA
GARDENS OF DISTINCTION	Abandoned	N/A		N/A	75608564	December 17, 1998	USA

PERENNIAL PARTNERS	Abandoned	N/A	N/A	75608530	December 17, 1998	USA
FLOWERING FRIENDS	Cancelled	2364029	Abandoned May 7, 2002	75607779	December 17, 1998	USA
THE BULB LADY	Cancelled	2219764	July 4, 2000 Cancellation Date April 7, 2007	75267530	April 1, 1997	USA
THE BULB LADY	Cancelled	2161746	September 21, 1999 Cancellation Date June 24, 2006	75267529	April 1, 1997	USA
HANS BRINKER	Cancelled	2132152	June 2, 1998 Cancellation Date March 5, 2005	75191635	October 29, 1996	USA
VAN DYCK'S	Registered	1854799	January 27, 1998 Cancellation Date October 30, 2004	74407803	June 30, 1993	USA
CAVALIER BULB COMPANY	Cancelled	1918235	September 20, 1994	74407387	June 30, 1998	USA
VAN BOURGONDIE	Registered	1885160	September 12, 1995 Cancellation Date June 24, 2006	74407380	June 30, 1993	USA

HANS BRINKER JUMBO PACK	Abandoned	N/A	N/A	73814687	July 25, 1989	USA
HANS BRINKER SAC-PAC	Cancelled	1595629	May 8, 1990 Cancellation Date November 11, 1996	73814656	July 25, 1989	USA
HANS BRINKER MASTER GARDENER SERIES	Cancelled	1597723	May 22, 1990 Cancellation Date November 25, 1996	73805973	June 12, 1989	USA
HANS BRINKER	Expired	1051424	October 26, 1976	73063254	September 17, 1975	USA
EDIBLES BY VAN BOURGONDIE						USA
PERENNIALS BY VAN BOURGONDIE						USA
SHRUBS & VINES BY VAN BOURGONDIE						USA
PERFECT PARTNERS & DESIGN	Registered	TMA511277	April 29, 1999	0851719	July 23, 1997	Canada
SIMPLY THE BEST	Registered	TMA728303	November 13, 2008	1290043	February 15, 2006	Canada

SIMPLE PLEASURES FLOWERBULBS AND PERENNIALS & DESIGN	Registered	TMA502567	October 21, 1998	0831965	December 19, 1996	Canada
SIMPLE PLEASURES & Design	Registered	TMA574430	January 27, 2003	1057535	April 26, 2000	Canada
SLEEPING BEAUTIES & Design (colour)	Registered	TMA800133	June 16, 2011	1383886	February 19, 2008	Canada
VAN BOURGONDIEEN	Registered	TMA437713	December 30, 1994	0734418	August 6, 1993	Canada
HANS BRINKER MASTER GARDENER SERIES	Expunged	TMA417013	September 17, 1993	0696968	January 9, 1992	Canada
BULBMALL.COM	Abandoned	N/A	N/A	1028631	September 10, 1999	Canada
THE MAGIC EGG	Registered	TMA729385	Inactivated December 27, 2001	1292858	March 8, 2006	Canada
INSTANT WATER GARDEN	Registered	TMA340297	November 25, 2008	1006173	February 23, 1999	Canada
BULBMALL	Registered	TMA586636	January 25, 2001	1028630	September 10, 1999	Canada
PERENNIAL PARTNERS	Abandoned	N/A	August 6, 2003	1000173	December 21, 1998	Canada
			N/A			
			Inactivated November 13, 2001			

CAVALIER BULB COMPANY & DESIGN	Registered	TMA438446	January 27, 1995	0736493	September 2, 1993	Canada
BULB MALL	Abandoned	N/A	N/A	1028628	September 10, 1999	Canada
VAN DYCK'S FLOWER FARMS, INC.	Registered	TMA434512	October 14, 1994	0734416	August 6, 1993	Canada
GARDENS OF DISTINCTION	Abandoned	N/A	N/A	1000174	December 21, 1998	Canada
HANS BRINKER	Registered	TMA409548	March 12, 1993	0696969	January 9, 1992	Canada
BLOOMING BUDDIES	Registered	TMA576709	February 28, 2003	1090413	January 24, 2001	Canada
FLOWERING FRIENDS	Abandoned	N/A	N/A	1000175	December 21, 1998	Canada
DUTCHBULBS BY VAN BOURGONDIE			Inactivated October 2, 2002			Canada
VAN DYCK'S						Canada

SIMPLE PLEASURES FLOWERBULBS & PERENNIALS and Design	Registered	4280713	June 4, 1999	H09-032743	March 26, 1997	Japan
THE BULB LADY and Design ENGLISH	Registered	4408147	August 11, 2000	H11-089340	October 1, 1999	Japan
THE BULB LADY and Design KATAKANA	Registered	4408149	August 11, 2000	H11-89534	October 1, 1999	Japan
VAN BOURGONDIE ENGLISH	Registered	4408148	August 11, 2000	H11-89551	October 1, 1999	Japan
VAN BOURGONDIE KATAKANA	Registered	442176	December 22, 2000	2000-001560	January 14, 2000	Japan
SIMPLE PLEASURES FLOWERBULBS & PERENNIALS and Design	Registered	000509695	June 29, 1999		April 4, 1997	CTM
PERFECT PARTNERS and Design	Registered	001995075	May 16, 2002		November 28, 2000	CTM
BLOOMING BUDDIES	Registered	001967942	March 5, 2002	001967942	November 23, 2000	CTM
SIMPLE PLEASURES FLOWERBULB & PERENNIALS & DESIGN						Belarus
SIMPLE PLEASURES & DESIGN						Belarus

SIMPLE PLEASURES & DESIGN							Russian Federation
SIMPLE PLEASURES & DESIGN							Kazakhstan
SIMPLE PLEASURES & DESIGN							China
SIMPLE PLEASURES & DESIGN							Korea