

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM666892

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	ASSIGNMENT OF THE ENTIRE INTEREST AND THE GOODWILL		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
J.R. Simplot Company		10/02/2020	Corporation: NEVADA
RECEIVING PARTY DATA			
Name:	Barenbrug USA, Inc.		
Street Address:	33477 Highway 99E		
City:	Tangent		
State/Country:	OREGON		
Postal Code:	97389		
Entity Type:	Corporation: OREGON		
PROPERTY NUMBERS Total: 23			
Property Type	Number	Word Mark	
Registration Number:	3345950	4 SEASONS	
Registration Number:	1251296	ATHLETIC PRO	
Registration Number:	3313644	CAMAS	
Registration Number:	4270525	CSI	
Registration Number:	4983502	DESERT OASIS	
Registration Number:	2618553	EVOLUTION	
Registration Number:	2605831	GAME DAY	
Registration Number:	3321405	GLX	
Registration Number:	1800222	GREEN MEDAL GREEN MEDAL	
Registration Number:	2458314	IMPULSE	
Registration Number:	1861103	JACKLIN	
Registration Number:	1844946	JACKLINGOLF	
Registration Number:	2605830	LO-DOWN BLUES	
Registration Number:	4714080	NONET	
Registration Number:	1249203	OVERSEEDER	
Registration Number:	0660900	PAR	
Registration Number:	2245118	PARTEE	
Registration Number:	3303914	PRO/AM	
Registration Number:	2458313	PRIZE	

CH \$590.00 3345950

Property Type	Number	Word Mark
Registration Number:	1707089	SCOTTISH LINKS
Registration Number:	2458347	SURGE
Registration Number:	1875470	TRIPLE A
Registration Number:	2260009	TURF TIME

CORRESPONDENCE DATA

Fax Number: 5035955301

Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.

Phone: 5035955300

Email: ptotmdocket@klarquist.com

Correspondent Name: Ramon A. Klitzke II

Address Line 1: 121 SW Salmon Street

Address Line 2: One World Trade Center, Suite 1600

Address Line 4: Portland, OREGON 97204

ATTORNEY DOCKET NUMBER:	4978-61685-01
NAME OF SUBMITTER:	Ramon A. Klitzke II
SIGNATURE:	/Ramon A. Klitzke II/
DATE SIGNED:	08/10/2021

Total Attachments: 9

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- source=Exhibit F1 - Assignment of Trademarks#page2.tif
- source=Exhibit F1 - Assignment of Trademarks#page3.tif
- source=Exhibit F1 - Assignment of Trademarks#page4.tif
- source=Exhibit F1 - Assignment of Trademarks#page5.tif
- source=Exhibit F1 - Assignment of Trademarks#page6.tif
- source=Exhibit F1 - Assignment of Trademarks#page7.tif
- source=Exhibit F1 - Assignment of Trademarks#page8.tif
- source=Exhibit F1 - Assignment of Trademarks#page9.tif

ASSIGNMENT OF TRADEMARKS

This Assignment of Trademarks ("Assignment") is made as of the 2nd day of October, 2020 by J. R. Simplot Company, a Nevada corporation ("Assignor"), to Barenbrug USA, Inc., an Oregon corporation ("Assignee").

WHEREAS, Assignor and Simplot Global Corporation, an Idaho corporation (together, the "Seller" therein) and Assignee (the "Buyer" therein), entered into that certain Asset Purchase Agreement dated as of September 16, 2020 (the "Purchase Agreement").

WHEREAS, this Assignment, together with certain other closing documents and instruments, is entered into pursuant to the terms of the Purchase Agreement.

WHEREAS, capitalized terms defined in the Purchase Agreement shall have the same meaning in this Assignment unless otherwise defined herein.

WHEREAS, in accordance with the Purchase Agreement, Assignor desires to transfer and assign to Assignee all of Assignor's right, title and interest in, to and under Assignor's trademarks listed on Schedule A hereto and incorporated herein by reference (the "Marks").

WHEREAS, execution and delivery of this Assignment is a condition to the Closing under the Purchase Agreement.

1. Assignor, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby, effective as of 12:01 a.m. (PDT) on October 2, 2020 ("Effective Date"), sell, transfer and assign to Assignee, and Assignee hereby accepts the transfer and assignment of, all of Assignor's right, title and interest in, to and under the Marks, together with the goodwill of the business associated therewith and which is symbolized thereby, and all rights to sue by the Buyer for infringement of the Marks and any and all renewals and extensions thereof that may hereafter be secured under the laws now or hereafter in effect in the United States, Canada and in any other jurisdiction, the same to be held and enjoyed by Assignee, its successors and assigns from and after the date hereof as fully and entirely as the same would have been held and enjoyed by Assignor had this Assignment not been made.

2. This Assignment is executed and this sale, transfer and assignment is made pursuant to the Purchase Agreement, the terms of which are incorporated by reference. Nothing herein shall be construed to modify, limit or otherwise detract from or add to the covenants, representations, warranties and agreements made in the Purchase Agreement.

3. In the event of any conflict between the terms of the Purchase Agreement and the terms hereof, the terms of the Purchase Agreement shall prevail.


4. Except to the extent that federal law preempts state law with respect to the matters covered hereby, this Assignment shall be governed and construed in accordance with the laws of the state of Washington without giving effect to the principles of conflicts of laws thereof.

[signature page follows]

IN WITNESS WHEREOF, Assignor has caused its duly authorized officer to execute this Assignment as of the date first above written to be effective as of the Effective Date.

ASSIGNOR:

J. R. Simplot Company,
a Nevada corporation

By 
Douglas M. Stone
Its Senior Vice President


SCHEDULE A

Marks

(attached)

(i) U.S. Registrations

Registration Date	Registration #	Status	Goods	Image
27-Nov-2007 –	3345950	Registered	GRASS SEED	4 SEASONS
13-Sep-1983 –	1251296	Registered	GRASS AND TURF SEEDS	ATHLETIC PRO
16-Oct-2007 –	3313644	Registered	GRASS SEED	CAMAS
08-Jan-2013 –	4270525	Registered	GRASS SEED USED IN CREATING TURF FOR ATHLETIC FIELDS, GOLF COURSES, PARKS, RESIDENTIAL LAWNS, AND SOLD, NOT FOR USE AS OR SOLD AS PART OF A GEOCELLULAR CONFINEMENT SYSTEM OR FOR ADDRESSING SOIL STABILITY PROBLEMS	CSI
21-Jun-2016 –	4983502	Registered	GRASS SEED	DESERT OASIS
10-Sep-2002 –	2618553	Registered	GRASS SEED	EVOLUTION
06-Aug-2002 –	2605831	Registered	GRASS SEED	GAME DAY

Registration Date	Registration #	Status	Goods	Image
23-Oct-2007 –	3321405	Registered	GRASS SEED	GLX
19-Oct-1993 –	180222	Registered	GRASS SEED	 GREEN MEDAL
05-Jun-2001 –	2458314	Registered	GRASS SEED	IMPULSE
01-Nov-1994 –	1861103	Registered	GRASS SEED	JACKLIN
12-Jul-1994 –	1844946	Registered	CONSULTING SERVICES; NAMELY, ADVISING INTERESTED PERSONS CONCERNING THE SELECTION, CARE AND MAINTENANCE OF TURF GRASS, PRINCIPALLY USED FOR GOLF COURSES	JACKLINGOLF
06-Aug-2002 –	2605830	Registered	GRASS SEED	LO-DOWN BLUES
31-Mar-2015 –	4714080	Registered	GRASS SEED	NoNet
23-Aug-1983 –	1249203	Registered	A MIXTURE OF TURF OR GRASS SEEDS	OVERSEEDER

Registration Date	Registration #	Status	Goods	Image
29-Apr-1958 –	660900	Registered	GRASS SEED	PAR
11-May-1999	2245118	Registered	GRASS SEED	PARTEE
10-Oct-2008 –	3303914	Registered	GRASS SEEDS	PRO/AM
05-June-2021	2458313	Registered	GRASS SEED	PRIZE
11-Aug-1992	1707089	Registered	GRASS SEEDS	SCOTTISH LINKS
05-June-2001	2458347	Registered	GRASS SEEDS	SURGE
24-Jan-1995 –	1875470	Registered	GRASS SEED	TRIPLE A
06-Jul-1999 –	2260009	Registered	GRASS SEED	TURF TIME

(i) International Registrations

Registration Date	Country	Registration #	Status	Goods	Image
11-Jan-2005	Canada	TMA629915	Registered	GRASS SEED	EVOLUTION
14-Oct-1998 –	China	1215736	Registered	GARDEN HERBS, FRESH, GERMCHIT FOR PLANTING, STRAW MULCH, TURF, NATURAL, PLANT SEEDS, SEEDS, FODDER, GRASS FODDER	JACKLIN

Registration Date	Country	Registration #	Status	Goods	Image
14-Oct-1998 –	China	1215735	Registered	GARDEN HERBS, FRESH, GERMCHIT FOR PLANTING, STRAW MULCH, TURF, NATURAL, PLANT SEEDS, SEEDS, FODDER, GRASS FODDER	杰克林
10-Oct-2008 –	Canada	TMA7255927	Registered	GRASS SEEDS	PRO/AM

(ii) Common Law Marks

Common Law Trademark Name	Type of Seed
Alpha T-2 (T2 creeping) OECD "Pinehurst")	BENTGRASS
Armor	BENTGRASS
GolfStar Idaho Bentgrass	BENTGRASS
Kingdom	BENTGRASS
Loft's L-93 (L93 creeping)	BENTGRASS
L93 XD	BENTGRASS
Nightlife	BENTGRASS
Putter (creeping)	BENTGRASS
T-1 (T1 creeping) OECD "TeeOne"	BENTGRASS
V8 (Creeping) OECD Ignite	BENTGRASS
Hollywood	BERMUDAGRASS
Jackpot	BERMUDAGRASS
Southern Star	BERMUDAGRASS
SunDevil II	BERMUDAGRASS
Aruba (Creeping Red)	FINE FESCUE
Audubon (Creeping Red)	FINE FESCUE
Lighthouse (Slender Creeping Red)	FINE FESCUE
Ecostar (Hard)	FINE FESCUE
EcoStar Plus	FINE FESCUE
Jamestown II (Chewings)	FINE FESCUE
J-5	FINE FESCUE
Marco Polo (Sheep)	FINE FESCUE
Award	KENTUCKY BLUEGRASS
Everest	KENTUCKY BLUEGRASS
EverGlade	KENTUCKY BLUEGRASS
Midnight	KENTUCKY BLUEGRASS

Common Law Trademark Name	Type of Seed
Nu Destiny	KENTUCKY BLUEGRASS
NuGlade	KENTUCKY BLUEGRASS
Jackpot Blue	KENTUCKY BLUEGRASS
Liberator	KENTUCKY BLUEGRASS
My Holiday Law	KENTUCKY BLUEGRASS
Navy *NEW	KENTUCKY BLUEGRASS
NuChicago	KENTUCKY BLUEGRASS
Awesome	KENTUCKY BLUEGRASS
Beyond	KENTUCKY BLUEGRASS
Excursion	KENTUCKY BLUEGRASS
Freedom III	KENTUCKY BLUEGRASS
Impact	KENTUCKY BLUEGRASS
Odyssey	KENTUCKY BLUEGRASS
Perfection	KENTUCKY BLUEGRASS
Rugby II	KENTUCKY BLUEGRASS
BlueChip	KENTUCKY BLUEGRASS
BlueChip Plus	KENTUCKY BLUEGRASS
NuBlue Plus	KENTUCKY BLUEGRASS
Desert Oasis® seashort paspalum	PASPALUM
Accent	TURF-TYPE PERENNIAL RYEGRASS
Accent II	TURF-TYPE PERENNIAL RYEGRASS
Caddieshack	TURF-TYPE PERENNIAL RYEGRASS
Caddieshack II	TURF-TYPE PERENNIAL RYEGRASS
CSI®-Rye	TURF-TYPE PERENNIAL RYEGRASS
Gly-Rye	TURF-TYPE PERENNIAL RYEGRASS
GoalKeeper II	TURF-TYPE PERENNIAL RYEGRASS
Monterey 3	TURF-TYPE PERENNIAL RYEGRASS
Revenge GLX®	TURF-TYPE PERENNIAL RYEGRASS
Spyglass	TURF-TYPE PERENNIAL RYEGRASS
Sunrise	TURF-TYPE PERENNIAL RYEGRASS
Top Gun	TURF-TYPE PERENNIAL RYEGRASS
Top Gun II	TURF-TYPE PERENNIAL RYEGRASS
Daytona (China Products)	TURF-TYPE PERENNIAL RYEGRASS
Fairway (China Products)	TURF-TYPE PERENNIAL RYEGRASS
Overseeder® II (China Products)	TURF-TYPE PERENNIAL RYEGRASS
WinterGame (China Products)	TURF-TYPE PERENNIAL RYEGRASS
Cathay Zoysia	SPECIALTY GRASSES
Desert Oasis® seashort paspalum	SPECIALTY GRASSES
Fults Alkaligrass	SPECIALTY GRASSES
GolfStar Idaho Bentgrass	SPECIALTY GRASSES

Common Law Trademark Name	Type of Seed
Havana Poa Trivialis	SPECIALTY GRASSES
Irish Links	SPECIALTY GRASSES
Reubens Canada Bluegrass	SPECIALTY GRASSES
Scottish Links®	SPECIALTY GRASSES
Streaker Redtop	SPECIALTY GRASSES
Sunfire Bahiagrass	SPECIALTY GRASSES
Sunrise Zoysia	SPECIALTY GRASSES
Brilliant Outer Rough Mixture (China Products)	SPECIALTY GRASSES
Arid 3	TURF-TYPE TALL FESCURE
Inferno	TURF-TYPE TALL FESCURE
Jaguar 4G	TURF-TYPE TALL FESCURE
Pixie	TURF-TYPE TALL FESCURE
Quest	TURF-TYPE TALL FESCURE
Summer	TURF-TYPE TALL FESCURE
Siesta	TURF-TYPE TALL FESCURE
Flame NoNet® *NEW	TURF-TYPE TALL FESCURE
Cathay Zoysia	ZOYSIAGRASS
Sunrise Zoysia	ZOYSIAGRASS
J-37	ZOYSIAGRASS