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3-2-2000 REC



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To the Honorable Commissioner of F.

...ed original documents or copy thereof.

1. Name of conveying party(ies):

Pennington Seed, Inc. of Nebraska

2. Name and address of receiving party(ies)

Name: Wal-Mart Stores, Inc.

Street Address: 702 Southwest Eighth Street  
Bentonville, Arkansas 72716

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

Additional name(s) of conveying party(ies) attached?  Yes  No

3. Nature of conveyance:

- Assignment  Merger
- Security Agreement  Change of Name
- Other:

Execution Date: January 5, 2000

- Individual(s) citizenship \_\_\_\_\_
- Association \_\_\_\_\_
- General Partnership \_\_\_\_\_
- Limited Partnership \_\_\_\_\_
- Corporation-State Georgia
- Other:

If assignee is not domiciled in the Unites States, a domestic representative designation is attached  yes  no

Additional name(s) & address(es) attached?  yes  no

4. Application number(s) or registration number(s): 1,673,175

If this document is being filed together with a new application, the execution date of the application is:

- A. Trademark application No.(s)
- B. Trademark Registration No.(s)

Additional numbers attached?  Yes  No

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

James F. Vaughan, Esq.  
WOMBLE CARLYLE SANDRIGE & RICE, PLLC  
Suite 3500  
1201 West Peachtree Street  
Atlanta, Georgia 30309  
(404) 962-7528  
(404) 870-8178 (fax)

6. Total number of applications/trademarks involved: [ 1 ]

7. Total fee (37 CFR 3.41) \$40.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit Account Number:

50-0517  
(Attach duplicate copy of this page if paying by Deposit Account)

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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.*

JAMES F. VAUGHAN

Name of Person Signing

Signature

2/28/00

Date

Docket No. P004.3005 (38346.0029.2)

Total number of pages including cover sheet, attachments, and document: [ 2 ]

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231

**ASSIGNMENT OF TRADEMARKS AND TRADE NAMES**

Pennington Seed Inc. of Nebraska, a Nebraska Corporation, having its principal place of business at Pennington Road; Sidney, Nebraska (the "Assignor"), and having adopted, used, and is the owner of certain trade names and trademarks described more fully below, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged:

Sells, assigns, and transfers to Wal-Mart Stores, Inc., a Delaware corporation, having its principal place of business at 702 Southwest Eighth Street, Bentonville, Arkansas 72716 (the "Assignee"), the entire right, title, and interest, in and to the trade name "ELIMINATOR" and to the following trademarks, together with the goodwill of the business symbolized by said trademarks:

ELIMINATOR, Reg. No. 1673175

Assignor warrants and covenants that no assignment, grant, mortgage, license, or other agreement affecting the rights and property herein conveyed, has been or will be made to others by the Assignor or any predecessor in title thereto and that the full right to convey the same as herein expressed is possessed thereby.

To be binding on the successors and assigns of the Assignor and to extend to the successors, assigns, and nominees of the Assignee.

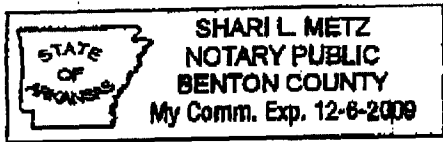
**Pennington Seed, Inc. of Nebraska**

By: [Signature]  
Date: 1/5/00

STATE OF ARKANSAS

COUNTY OF BENTON

On this 5th day of January, 2000 personally appeared Brooks Pennington III to me known and known to me to be President, of Pennington Seed, Inc. of Nebraska, the Assignor above named, and acknowledged that he executed the foregoing Assignment on behalf of said Assignor and pursuant to authority duly received.



[Signature]  
Notary Public

My Commission Expires: 12-6-09