

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT		
<b>NATURE OF CONVEYANCE:</b>	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL		
<b>CONVEYING PARTY DATA</b>			
<b>Name</b>	<b>Formerly</b>	<b>Execution Date</b>	<b>Entity Type</b>
Turf-Seed, Inc.		05/26/2006	CORPORATION: OREGON

<b>RECEIVING PARTY DATA</b>	
<b>Name:</b>	SMG Brands, Inc.
<b>Street Address:</b>	14111 Scottslawn Road
<b>City:</b>	Marysville
<b>State/Country:</b>	OHIO
<b>Postal Code:</b>	43041
<b>Entity Type:</b>	CORPORATION: DELAWARE

PROPERTY NUMBERS Total: 41

Property Type	Number	Word Mark
Serial Number:	73822053	ALLIANCE
Serial Number:	76614928	BEST OF THE BLUES
Serial Number:	74436004	BIRDIE
Serial Number:	74226888	BLOOMERS!
Serial Number:	76577660	BLUELINE
Serial Number:	75151420	BONNY DUNES
Serial Number:	78750656	BRED IN THE SOUTH FOR THE SOUTH
Serial Number:	76538911	CALIFORNIA GOLD
Serial Number:	73092765	CBS
Serial Number:	76614940	CONFEDERATE
Serial Number:	75583329	CUSTOM SEED WIZARD
Serial Number:	76576779	CUSTOM SEED WIZARD
Serial Number:	74660739	DEBLOOMS
Serial Number:	78744298	DROUGHT TOLERANT BLUE

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Serial Number:	76579948	DURALINE
Serial Number:	78744297	ESTATE GOLD
Serial Number:	76579325	FINELINE
Serial Number:	76312784	GALAXY
Serial Number:	78634305	GRAYHAWK
Serial Number:	76584726	GT
Serial Number:	76606416	MIDWEST GOLD
Serial Number:	73271681	POLO
Serial Number:	78750509	PREFERREDLINE
Serial Number:	78750515	REFINE
Serial Number:	78750512	ROUGHLINE
Serial Number:	76579949	SHADOWLINE
Serial Number:	76585257	SLT
Serial Number:	74236687	SONORAN
Serial Number:	76205552	SOUTHERN GOLD
Serial Number:	76473839	STADIUM
Serial Number:	76553998	SUMMER LAWN
Serial Number:	73579877	SUNCREST
Serial Number:	76579326	SUNLINE
Serial Number:	73628135	SUNRYE
Serial Number:	78778252	THE GOLD STANDARD
Serial Number:	73476458	TRIATHALAWN
Serial Number:	73176523	TURF-SEED
Serial Number:	74226882	TURF-SEED MOW-LESS
Serial Number:	76288509	VENTURE GREEN
Serial Number:	74286584	WATER-MASTER
Serial Number:	76553999	WINTERPLEX

**CORRESPONDENCE DATA**

Fax Number: (650)213-0260  
*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*  
Phone: 650-812-1300  
Email: patrademarks@manatt.com  
Correspondent Name: Susan E. Hollander, Esq.  
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ATTORNEY DOCKET NUMBER:	29019-034 TURF-SEED ASSGN
NAME OF SUBMITTER:	Gail I. Nevius Abbas
Signature:	/Gail I. Nevius Abbas/
Date:	10/25/2006
Total Attachments: 2 source=Turf-Seed to SMG Brands Short Assignment page 1#page1.tif source=Turf-Seed to SMG Brands Short Assignment page 2#page1.tif	

## ASSIGNMENT

WHEREAS, Turf-Seed, Inc., an Oregon corporation, ("Assignor") has adopted, used, and is the owner of the following trademarks and service marks (the "Marks") now registered in the United States Patent and Trademark Office or for which applications in the United States Patent and Trademark Office are now pending for the goods and/or services identified therein:

<u>Mark</u>	<u>Registration No.</u>	<u>Date of Registration</u>
ALLIANCE	1,642,204	April 23, 1991
BEST OF THE BLUES	3,003,506	October 4, 2005
BIRDIE	1,890,646	April 18, 1995
BLOOMERS!	1,757,102	March 9, 1993
BLUELINE	2,995,641	September 13, 2005
BONNY DUNES	2,149,776	April 7, 1998
CBS	1,079,028	December 6, 1977
CONFEDERATE	3,000,527	September 27, 2005
CUSTOM SEED WIZARD	2,310,076	January 18, 2000
CUSTOM SEED WIZARD	3,007,048	October 18, 2005
DEBLOOMS	2,011,499	October 29, 1996
DURALINE	2,995,642	September 13, 2005
FINELINE	3,068,773	March 14, 2006
GALAXY	2,718,648	May 27, 2003
POLO	1,185,066	January 5, 1982
SHADOWLINE	2,995,643	September 13, 2005
SLT	2,954,474	May 24, 2005
SONORAN	1,731,445	November 10, 1992
SOUTHERN GOLD	2,568,448	May 7, 2002
STADIUM	2,811,585	February 3, 2004
SUMMER LAWN	2,920,177	January 18, 2005
SUNCREST	1,407,882	September 2, 1986
SUNLINE	3,019,135	November 29, 2005
SUNRYE	1,454,553	August 25, 1987
TRIATHALAWN	1,317,229	January 29, 1985
TURF-SEED & Design	1,119,774	June 5, 1979
TURF-SEED MOW-LESS	1,733,411	November 17, 1992
VENTURE GREEN	2,714,387	May 6, 2003
WATER-MASTER	1,829,949	April 5, 1994
WINTERPLEX	2,886,158	September 21, 2004

<u>Mark</u>	<u>Application Number</u>	<u>Filing Date</u>
BRED IN THE SOUTH FOR		
THE SOUTH	78/750,656	November 9, 2005
PREFERREDLINE	78/750,509	November 9, 2005
REFINE	78/750,515	November 9, 2005
ROUGHLINE	78/750,512	November 9, 2005

; and

WHEREAS, Turf-Seed, Inc., an Oregon corporation, ("Assignor") owns and has a bona fide intent to use the following marks (the "Pending Marks") and has applied to register the Pending Marks on

the Principal Register of the United States Patent and Trademark Office based on Assignor's *bona fide* intent to use the Pending Marks in commerce in connection with the goods identified in the following applications:

<u>Mark</u>	<u>Application Number</u>	<u>Filing Date</u>
CALIFORNIA GOLD	76/538,911	August 8, 2003
DROUGHT TOLERANT BLUE	78/744,298	November 1, 2005
ESTATE GOLD	78/774,297	November 1, 2005
GRAYHAWK	78/634,305	May 20, 2005
GT	76/584,726	April 5, 2004
MIDWEST GOLD	76/606,416	August 11, 2004
THE GOLD STANDARD	78/778,252	December 21, 2005

; and

WHEREAS, SMG Brands, Inc., a Delaware corporation, ("Assignee") desires to acquire the Marks, and the above-referenced registrations and applications therefor; and desires to acquire the business of Assignor in connection with which Assignor has a *bona fide* intent to use the Pending Marks and the above-referenced applications for the Pending Marks;

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby sells, assigns, and transfers to Assignee all right, title and interest in and to each of the Marks, together with the goodwill of the business symbolized by the Marks, and the registrations thereof, *nunc pro tunc*, effective as of May 26, 2006; and

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby sells, assigns, and transfers to Assignee all right, title and interest in and to each of the Pending Marks and the pending applications therefor, together with that portion of Assignor's business in connection with which it has a *bona fide* intent to use the Pending Marks, *nunc pro tunc*, effective as of May 26, 2006.

TURF-SEED, INC.

By: Bill L. Rose

Name: Bill L. Rose  
Title: President

Dated effective as of: May 26, 2006

SUBSCRIBED and SWORN to before

me this 30<sup>th</sup> day of August, 2006.

Susan M Palmer  
Notary Public

My Commission Expires: 9-27-09

