

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	NUNC PRO TUNC ASSIGNMENT
EFFECTIVE DATE:	11/05/2007

**CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Witteman & Co Bloembollenbedrijf 'Multiflora' B.V.		12/05/2008	CORPORATION: NETHERLANDS

**RECEIVING PARTY DATA**

Name:	Ball Horticultural Company
Street Address:	622 Town Road
City:	West Chicago
State/Country:	ILLINOIS
Postal Code:	60185
Entity Type:	CORPORATION: ILLINOIS

**PROPERTY NUMBERS Total: 8**

Property Type	Number	Word Mark
Registration Number:	2961383	DARWIN PLANTSPOTTERS
Registration Number:	2961306	PLANTSPOTTERS
Registration Number:	3174775	MIGHTY VARIETY
Registration Number:	3177688	MIGHTY
Registration Number:	2796203	YOUR ROOT TO SUCCESS
Registration Number:	2621455	DARWIN PLANTS
Registration Number:	2678030	DARWIN PLANTS
Registration Number:	1886249	DARWIN

**CORRESPONDENCE DATA**

Fax Number: (312)474-0448  
*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*  
 Phone: 312-474-6300

**TRADEMARK**  
**REEL: 003907 FRAME: 0884**

**900123299**

CH \$215.00 2961383

Email: janderfuren@marshallip.com  
Correspondent Name: Marshall, Gerstein & Borun LLP  
Address Line 1: 233 S. Wacker Drive  
Address Line 4: Chicago, ILLINOIS 60606-6357

ATTORNEY DOCKET NUMBER:	29973/G1000
-------------------------	-------------

NAME OF SUBMITTER:	Jill Anderfuren
--------------------	-----------------

Signature:	/ja/
------------	------

Date:	12/22/2008
-------	------------

Total Attachments: 2 source=ball#page1.tif source=ball#page2.tif
--

## TRADEMARK ASSIGNMENT

THIS ASSIGNMENT effective as of November 5, 2007, entered into between Witteman & Co Bloembollenbedrijf 'Multiflora' B.V. (WITTEMAN), a Netherlands Corporation, and Ball Horticultural Company, an Illinois Corporation, 622 Town Road, West Chicago, Illinois 60185 (BALL).

WHEREAS, WITTEMAN is the owner of all right, title and interest in and to the trademarks listed on the attached Schedule, including the goodwill of the business symbolized thereby, and the corresponding registrations ("the Trademarks"); and

WHEREAS, BALL desires to acquire and WITTEMAN wishes to assign to BALL any and all rights in and to the Trademarks and the goodwill appurtenant thereto;

NOW, THEREFORE:

In consideration of and in exchange for the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, WITTEMAN hereby assigns to BALL all of its right, title and interest in and to the Trademarks, together with the goodwill of the business symbolized thereby, the right to sue for past infringement, the right to prosecute and maintain registrations.

Witteman & Co Bloembollenbedrijf 'Multiflora' B.V.

By: 

Name: Johannes Witteman

Title: General Manager

Accepted: 12/5/08



Ball Horticultural Company

By: 

Name: Todd Frauendorfer

Title: Treasurer & Corporate Secretary  
Ball Horticultural Company

United States

<u>Mark</u>	<u>Registration No.</u>
DARWIN PLANTSPOTTERS	2,961,383
PLANTSPOTTERS	2,961,306
MIGHTY VARIETY	3,174,775
MIGHTY	3,177,688
YOUR ROOT TO SUCCESS	2,796,203
 Darwin Plants	2,621,455
	2,678,030
DARWIN	1,886,249