

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	NUNC PRO TUNC ASSIGNMENT		
EFFECTIVE DATE:	06/11/2009		
<b>CONVEYING PARTY DATA</b>			
Name	Formerly	Execution Date	Entity Type
Kieft Bloemzaden B.V.		04/29/2010	CORPORATION: NETHERLANDS
<b>RECEIVING PARTY DATA</b>			
Name:	Ball Horticultural Company		
Street Address:	622 Town Road		
City:	West Chicago		
State/Country:	ILLINOIS		
Postal Code:	60185		
Entity Type:	CORPORATION: ILLINOIS		
<b>PROPERTY NUMBERS Total: 2</b>			
Property Type	Number	Word Mark	
Registration Number:	3182538	COLORGRASS	
Registration Number:	2950986	PROMISE	
<b>CORRESPONDENCE DATA</b>			
Fax Number:	(312)474-0448		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
Phone:	312-474-6300		
Email:	janderfuren@marshallip.com		
Correspondent Name:	Marshall, Gerstein & Borun LLP		
Address Line 1:	233 S. Wacker Drive		
Address Line 2:	6300 Sears Tower		
Address Line 4:	Chicago, ILLINOIS 60606-6357		
ATTORNEY DOCKET NUMBER:	29973/G1000		
NAME OF SUBMITTER:	Jill Anderfuren		

OP \$65.00 3182538

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**TRADEMARK  
 REEL: 004214 FRAME: 0212**

Signature:	/ja/
Date:	05/27/2010
Total Attachments: 2 source=DOC070#page1.tif source=DOC070#page2.tif	

TRADEMARK ASSIGNMENT

THIS ASSIGNMENT is effective nunc pro tunc June 11, 2009, entered into between Kieft Bloemzaden B.V. (KIEFT), a Netherlands corporation, Elbaweg 35, 1607 MN Venhuizen, Netherlands to Ball Horticultural Company, (BALL), an Illinois corporation, 622 Town Road, West Chicago, Illinois 60185.

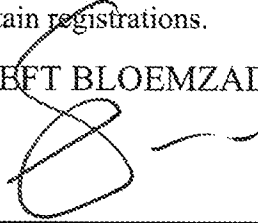
WHEREAS, KIEFT is the owner of all right, title and interest in and to the trademarks listed on the attached Schedule, including the goodwill of the business symbolized thereby, and the corresponding registrations ("the Trademarks"); and

WHEREAS, BALL desires to acquire and KIEFT 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, KIEFT hereby confirms assignment 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 to maintain registrations.

KIEFT BLOEMZADEN B.V.

By:   
Name: Cees van Diepen  
Title: General Manager  
Date: APRIL 29, 2010

Accepted by: 

BALL HORTICULTURAL COMPANY

By:   
Name: Todd Frauendorfer  
Title: Treasurer & Corporate Secretary  
Date: May 20, 2010

SCHEDULE

United States

<u>Mark</u>	<u>Registration No.</u>
ColorGrass	3,182,538
Promise	2,950,986