

MLO

02-26-1999



2-24-99

RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

100972276

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- New
- Resubmission (Non-Recordation)

Conveyance Type

- Assignment
- Security Agreement
- License
- Nunc Pro Tunc Assignment

Document ID#

Effective Date  
Month Day Year

Correction of PTO Error  
 Reel #  Frame #

Merger

Corrective Document  
 Reel #  Frame #

Change of Name  
 Other

Conveying Party

Mark if additional names of conveying parties attached

Execution Date  
Month Day Year

Name

Formerly

- Individual
- General Partnership
- Limited Partnership
- Corporation
- Association

Other

Citizenship /State of Incorporation/Organization

Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

- Individual
- General Partnership
- Limited Partnership
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If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached (Designation must be a separate document from the Assignment.)

Other

Citizenship/State of Incorporation/Organization

02/26/1999 0651-0027

FOR OFFICE USE ONLY

01 FD:481  
02 FD:482

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded and required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

TRADEMARK  
REEL: 1852 FRAME: 0940

**Domestic Representative Name and Address** Enter for the first Receiving Party only.

**Name** Joseph R. Dreitler, Esq.

**Address (line 1)** Vorys, Sater, Seymour and Pease LLP

**Address (line 2)** 52 East Gay Street

**Address (line 3)** P.O. Box 1008

**Address (line 4)** Columbus, Ohio 43216-1008

**Correspondent Name and Address**

Area Code and Telephone Number

(614) 464-6383

**Name** Joseph R. Dreitler, Esq.

**Address (line 1)** Vorys, Sater, Seymour and Pease LLP

**Address (line 2)** 52 East Gay Street

**Address (line 3)** P.O. Box 1008

**Address (line 4)** Columbus, Ohio 43216-1008

**Pages** Enter the total number of pages of the attached conveyance document including any attachments. # 14

**Trademark Application Number(s) or Registration Number(s)**  Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)			Registration Number(s)		
74/700176	75/179384	75/297707	121042	364386	371435
75/054114	75/236324	75/304464	224608	365864	387084
75/133795	75/297706	75/326415	353631	370636	423264

**Number of Properties** Enter the total number of properties involved. # 155

**Fee Amount** Fee Amount for Properties Listed (37 CFR 3.41): \$ 3,890.00

**Method of Payment:** Enclosed  Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.) #

**Deposit Account Number:**

**Authorization to charge additional fees:** Yes  No

**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. Charges to deposit account are authorized, as indicated herein.

Joseph R. Dreitler  
Name of Person Signing

  
Signature

2-24-91  
Date Signed

# RECORDATION FORM COVER SHEET

FORM PTO-1618C

Expires 06/30/99  
OMB 0651-0027

## CONTINUATION TRADEMARKS ONLY

U.S. Department of Commerce  
Patent and Trademark Office  
**TRADEMARK**

### Conveying Party

Mark if additional names of conveying parties attached

Enter Additional Conveying Party

Execution Date  
Month Day Year

Name

Formerly

Individual    General Partnership    Limited Partnership    Corporation    Association

Other

Citizenship State of Incorporation/Organization

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#### Trademark Application Number(s)

#### Registration Number(s)

75/419210	75/485179	75/548403
75/424667	75/524695	75/548404
75/424837	75/532275	75/556431
75/424841	75/532276	
75/425105	75/548400	
75/425251	75/548401	
75/425253	75/548402	

425611	437764	595061
429604	441412	645959
430225	503454	654963
430348	530331	664899
431438	546883	736963
433172	546898	786250
435040	583651	889348

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903317	1200193	1301169
1000476	1200194	1370445
1052249	1223877	1370446
1058105	1248747	1370447
1071832	1261432	1372902
1076740	1261434	1373226
1127404	1291761	1404091

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1412810	1439408	1558750
1413008	1439409	1559539
1414162	1443473	1574336
1418014	1450219	1582097
1418115	1456744	1594914
1418129	1533514	1623918
1439407	1555469	1644566

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1649882	1735114	1773393
1654996	1735781	1819397
1664644	1747988	1819525
1670023	1749542	1848316
1672626	1756016	1848318
1677316	1756202	1849527
1705746	1770315	1853246

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1853247	1880791	1909123
1861741	1880792	1911662
1864362	1883830	1957063
1870731	1887176	1963324
1871488	1899437	1963325
1876812	1899438	1964828
1879977	1904830	1966775

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1970248	2073033	2166376
1976643	2074410	
1977618	2074449	
1992273	2088157	
1995777	2100774	
1997475	2107139	
2051109	2155486	



# SCHEDULE A

## Registrations

Registration No.	Mark	Date of Registration
121042	ORTHO (STYLIZED)	02-Apr-1918
224608	VOLCK	01-Mar-1927
353631	TRIOX	11-Jan-1938
364386	BUG-GETA	31-Jan-1939
365864	SCRAM	21-Mar-1939
370636	METAG	29-Aug-1939
371435	ORTHOL	26-Sep-1939
387084	TERMCO	29-Apr-1941
423264	ORTHO	27-Aug-1946
425611	TAG	26-Nov-1946
429604	ORTHO	06-May-1947
430225	ORTHOCLIDE	10-Jun-1947
430348	VAPOTONE	10-Jun-1947
431438	ORTHO	22-Jul-1947
433172	PEST-B-GON	30-Sep-1947
435040	ORTHENE	09-Dec-1947
437764	ISOTOX	30-Mar-1948
441412	SUPERTONE	23-Nov-1948
503454	ORTHO	26-Oct-1948
530331	RA-PID-GRO and Design	05-Sep-1950
546883	ORTHO	21-Aug-1951
546898	ORTHORIX	21-Aug-1951
583651	ORTHO	15-Dec-1953
595061	UP-START	14-Sep-1954
645959	RA-PID-GRO	28-May-1957
654963	ORTHO	26-Nov-1957
664899	ORTHO-KLOR	29-Jul-1958
736963	HELPING THE WORLD GROW BETTER	04-Sep-1962
786250	GREENOL	09-Mar-1965
889348	WEED-B-GON	14-Apr-1970
903317	WEED-B-GON	01-Dec-1970
1000476	SLUG-GETA	31-Dec-1974
1052249	ORTHEX	09-Nov-1976
1058105	RA-PID-GRO (w/shading)	08-Feb-1977
1071832	ORTHO	23-Aug-1977
1076740	RA-PID-GRO (STYLIZED)	08-Nov-1977
1127404	BUG-GETA	11-Dec-1979
1200193	ORTHOMATIC	06-Jul-1982
1200194	ORTHOMATIC	06-Jul-1982
1223877	TAG	18-Jan-1983
1248747	ORTHOTROL	23-Aug-1983
1261432	FLEA-B-GON	20-Dec-1983
1261434	ORTHO-PRO	20-Dec-1983
1291761	ORTHENEX	28-Aug-1984
1301169	BRUSH-B-GON	23-Oct-1984
1370445	AN ARTIST'S GARDEN	12-Nov-1985
1370446	PAINTING WITH FLOWERS	12-Nov-1985
1370447	ARTIST'S PALETTE DESIGN	12-Nov-1985
1372902	FLOWERS OF MONET	26-Nov-1985

# SCHEDULE A

## Registrations

Registration No.	Mark	Date of Registration
1373226	GREEN SWEEP	03-Dec-1985
1404091	WINDSONGS	05-Aug-1986
1412810	FORTI-5	14-Oct-1986
1413008	GARDEN ACCENTS	14-Oct-1986
1414162	WHITE SWAN	21-Oct-1986
1418014	ORTHOGANIC	25-Nov-1986
1418115	GREENSWEEP	25-Nov-1986
1418129	GET-A-BUG	25-Nov-1986
1439407	FRAGRANCE GARDEN	12-May-1987
1439408	HUMMINGBIRD GARDEN	12-May-1987
1439409	COTTAGE GARDEN	12-May-1987
1443473	SHAKE SCATTER & GROW MARQUEE LOGO	16-Jun-1987
1450219	ORTHO TRADE DRESS	04-Aug-1987
1456744	SONGBIRD MEADOW	08-Sep-1987
1533514	SALADINI	04-Apr-1989
1555469	GREENSWEEP	12-Sep-1989
1558750	GREEN SWEEP	03-Oct-1989
1559539	GREEN SWEEP	10-Oct-1989
1574336	DIAZINON PLUS	02-Jan-1990
1582097	GREENSWEEP	13-Feb-1990
1594914	RA-PID-FEED	08-May-1990
1623918	ESPECIALLY FOR CHILDREN	20-Nov-1990
1644566	MOONLIGHT GARDEN	14-May-1991
1649882	READY-SPRAY	09-Jul-1991
1654996	FOOD IN BLOOM	27-Aug-1991
1664644	RA-PID-GRO and Design	19-Nov-1991
1670023	MALATHION 50 PLUS	31-Dec-1991
1672626	SPRAY-ETTE	21-Jan-1992
1677316	HI-POWER	03-Mar-1992
1705746	READY-SPRAY	04-Aug-1992
1735114	ROMANCE GARDEN	24-Nov-1992
1735781	COLOR SCHEME GARDENING	24-Nov-1992
1747988	PHOS-TABS	26-Jan-1993
1749542	FLOWERS OF VAN GOGH	26-Jan-1993
1756016	ANT-STOP	02-Mar-1993
1756202	AMERICAN COUNTRY	02-Mar-1993
1770315	SHAKE SCATTER & GROW	11-May-1993
1773393	B.T. BIOSPRAY	25-May-1993
1819397	LOCK 'N SPRAY	01-Feb-1994
1819525	AMERICA THE BEAUTIFUL	01-Feb-1994
1848316	SINGING GARDEN	02-Aug-1994
1848318	GARDENS TO GO	02-Aug-1994
1849527	GULLIVER'S GARDEN	09-Aug-1994
1853246	BEDS & BORDERS	06-Sep-1994
1853247	FARMER'S MARKET	06-Sep-1994
1861741	SWANALLOY	08-Nov-1994
1864362	ROADSIDE ATTRACTION	22-Nov-1994
1870731	CITY GARDEN	27-Dec-1994
1871488	CYGNET	03-Jan-1995

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## Registrations

Registration No.	Mark	Date of Registration
1876812	VICTORIAN POTPOURRI	31-Jan-1995
1879977	MAD HATTER'S TEA PARTY	21-Feb-1995
1880791	QUEEN OF HEARTS	28-Feb-1995
1880792	ALICE'S FLOWER GARDEN	28-Feb-1995
1883830	CHESHIRE CAT	14-Mar-1995
1887176	SWANSTONE	04-Apr-1995
1899437	GOLDEN PAWS	13-Jun-1995
1899438	POPPY BEAR	13-Jun-1995
1904830	GOLDEN PAWS	11-Jul-1995
1909123	SOLARIS	01-Aug-1995
1911662	ALICE IN WONDERLAND	15-Aug-1995
1957063	GARDEN TEA PARTY	20-Feb-1996
1963324	HOMEDEFENSE	19-Mar-1996
1963325	GROUND CLEAR	19-Mar-1996
1964828	SECRET GARDEN	02-Apr-1996
1966775	RosePride	09-Apr-1996
1970248	FLOWERWORKS	23-Apr-1996
1976643	PowerFlo	28-May-1996
1977618	ALICE IN WONDERLAND	04-Jun-1996
1992273	BUTTERFLY GARDEN	13-Aug-1996
1995777	GRASS-B-GON	20-Aug-1996
1997475	YARD BASICS	27-Aug-1996
2051109	SUPEREDGER	08-Apr-1997
2073033	BUG-B-GON	24-Jun-1997
2074410	ORTHO	24-Jun-1997
2074449	WEED-B-GON XTRA GREEN	24-Jun-1997
2088157	WEED-B-GON	12-Aug-1997
2100774	DIAL 'N SPRAY (STYLIZED)	30-Sep-1997
2107139	PHOSTROGEN	21-Oct-1997
2155486	YARD BASICS	05-May-1998
2166376	LAVENDER & LACE	16-Jun-1998

# SCHEDULE A

## Applications

Application No.	Mark	Filing Date
74/700176	LITERARY GARDENS	12-Jul-1995
75/054114	SEASONS GREETINGS	06-Feb-1996
75/133795	CINDERELLA	15-Jul-1996
75/179384	GRUB-B-GON	09-Oct-1996
75/236324	DIAZINON ULTRA	04-Feb-1997
75/297706	MAGICAL MUSICAL MEADOW	23-May-1997
75/297707	POPPY BEAR	23-May-1997
75/304464	POPPY BEAR	06-Jun-1997
75/326415	RA-PID-GRO	07-Jul-1997
75/419210	TOTAL-KILL	16-Jan-1998
75/424667	BACKYARD SANCTUARY	28-Jan-1998
75/424837	BACKYARD SANCTUARY	28-Jan-1998
75/424841	BACKYARD SANCTUARY	28-Jan-1998
75/425105	BACKYARD SANCTUARY	28-Jan-1998
75/425251	BACKYARD SANCTUARY	28-Jan-1998
75/425253	BACKYARD SANCTUARY	28-Jan-1998
75/485179	HOME DEFENSE	14-May-1998
75/524695	ANT-B-GON	23-Jul-1998
75/532275	PULL 'N SPRAY	06-Aug-1998
75/532276	LIFT 'N SPRAY	06-Aug-1998
75/548400	PEST-X	04-Sep-1998
75/548401	ATRAZINE PLUS	04-Sep-1998
75/548402	GUARDSMAN	04-Sep-1998
75/548403	PEST BUSTER	04-Sep-1998
75/548404	DEFENDER	04-Sep-1998
75/556431	RA-PID GRO AND DESIGN	23-Sep-1998

**TRADEMARK ASSIGNMENT**

WHEREAS, Monsanto Company, a Delaware corporation located at 800 North Lindbergh Boulevard, St. Louis, Missouri 63167, has adopted, owns and used the trademarks shown on the attached Schedule A; and,

WHEREAS, OMS Investments, Inc., a Delaware corporation, located and doing business at 1105 North Market Street, Wilmington, Delaware 19899, is desirous of acquiring all of the right, title and interest in and to the aforesaid marks, the applications and registrations thereof, including all trade names embodying wholly or in part the aforesaid marks.

NOW, THEREFORE, for ten dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, Monsanto Company does hereby assign, sell, transfer and convey to OMS Investments, Inc., all of its right, title and interest in and to the said marks and trade names, including all claims for past infringement and all causes of action with respect to or arising out of the said marks and trade names, together with the good will of its business symbolized by the name, the marks, and the applications and registrations thereof.

Monsanto Company further covenants with OMS Investments, Inc., to execute, when requested, such additional assignments, instruments and documents as may be necessary or desirable to effectuate this agreement and assignment.

IN WITNESS WHEREOF, the undersign authorized officer of Monsanto Company has hereunto set his hand and the Seal of the Corporation on this 21<sup>st</sup> day of January, 1999.

MONSANTO COMPANY

By: Er D. Bode

Title: Director

STATE OF NEW YORK )  
 ) SS:  
COUNTY OF NEW YORK )

On this 21<sup>st</sup> day of January, 1999, before me personally came EVAN T. BOEKER, to me known who, being duly sworn, did depose and say that he resides in the State of Missouri; Director of Monsanto Company, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Doris Caputo  
Notary Public

DORIS CAPUTO  
Notary Public, State of New York  
No. 24-4932032  
Qualified in Kings County  
Certificate Filed in New York County  
Commission Expires May 31, 2002