

04-07-1999

ER SHEET NLY

U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office



101002958

Tab settings

To the Honorable Commissioner, Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Vigoro Acquisition Corp.

Handwritten: MRP 3-19-99

- Individual(s) Association General Partnership Limited Partnership Corporation-State Delaware Other

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

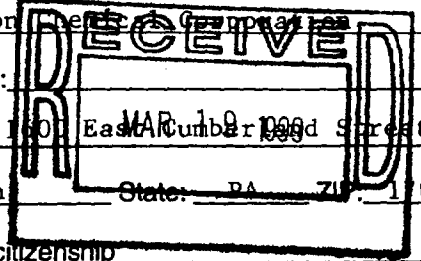
3. Nature of conveyance:

- Assignment Merger Security Agreement Change of Name Other

Execution Date: March 4, 1999

2. Name and address of receiving party(ies)

Name: Lebanon Internal Address: Street Address: City: Lebanon State: PA ZIP: 17042



- Individual(s) citizenship Association General Partnership Limited Partnership Corporation-State Pennsylvania Other

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No (Designations must be a separate document from assignment) Additional name(s) & address(es) attached? Yes No

4. Application number(s) or patent number(s):

A. Trademark Application No.(s)

75/199,823 75/199,499 75/199,276

B. Trademark Registration No.(s)

1,604,214 684,618 1,932,758 2,065,628 2,071,127 961,242 2,093,354 1,239,009 1,269,536

Additional numbers attached? Yes No

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

Name: John V. Moriarty Internal Address: Woodard Emhardt Naughton Moriarty & McNett Street Address: Bank One Center/Tower 111 Monument Circle, STE 3700 City: Indianapolis State: IN ZIP: 46204

6. Total number of applications and registrations involved:

12

7. Total fee (37 CFR 3.41) \$ 315.00

- Enclosed Authorized to be charged to deposit account

8. Deposit account number:

04/06/1999 DNGUYEN 00000104 1604214

FC:481 40.00 DP FC:482 275.00 DP

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.

John V. Moriarty Name of Person Signing

Signature

16 March 1999 Date

Total number of pages including cover sheet, attachments, and document: 5

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

TRADEMARK REEL: 1879 FRAME: 0472

ASSIGNMENT OF REGISTERED TRADEMARKS

ASSIGNMENT OF REGISTERED TRADEMARKS by VIGORO ACQUISITION CORP., a Delaware corporation ("Assignor"), to LEBANON CHEMICAL CORPORATION, a Pennsylvania corporation ("Assignee").

BACKGROUND: Until September 28, 1998, Assignor was the owner of those trademarks set forth on Exhibit "A" attached hereto (the "Scheduled Trademarks"). On September 28, 1998, Assignor duly sold, assigned and transferred the Scheduled Trademarks to Assignee, together with the goodwill of the business symbolized by said marks. It is hereby desired to confirm the aforesaid sale, assignment and transfer, and to make the same a matter of record in the United States Patent and Trademark Office.

NOW, THEREFORE, in consideration of \$10 and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby assigns, transfers, conveys and sets over unto the Assignee Assignor's entire right, title and interest in, to and under the Scheduled Trademarks, together with all of the goodwill of the business associated with the use thereof and symbolized thereby, and all of Assignor's copyrights (including any common law and statutory rights and copyrights which Assignor may have with respect to any photographs, drawings and the like which Assignor uses only in connection with the Scheduled Trademarks), registrations, applications, amendments, applications for amendments, designs, trade dress and claims and causes of action (including, without limitation, claims and causes of action for past infringement) relating thereto, and the right to sue and collect damages for any and all past infringements thereof, and any of Assignor's other rights relating thereto (collectively, the "Rights").

This Assignment shall be, and is hereby made, effective as of September 28, 1998.

IN WITNESS WHEREOF, Assignor has caused this Assignment to be duly executed and delivered as of March 4, 1999.

VIGORO ACQUISITION CORP.

By Tim Pursell  
Taylor Pursell  
President and  
Chief Executive Officer

Attest: Timothy Taylor  
Timothy Taylor  
Secretary

"Assignor"

STATE OF ALABAMA

:

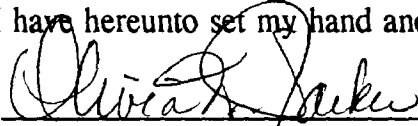
COUNTY OF JEFFERSON

:SS.

:

On this 4th day of March, 1999, before me, a notary public, the undersigned officer, personally appeared TAYLOR PURSELL, who acknowledged himself to be President and Chief Executive Officer of VIGORO ACQUISITION CORP., a Delaware corporation, and that he as such officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as such officer.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

  
\_\_\_\_\_

Notary Public

C.E.: 1-19-2000

# Exhibit A

## DETAIL OF MARKS

Marks	Country	Registration or Serial Number	Goods/Services	Expiration Date	Status	Trademark Owner Of Record*
ENVIROPHOS	U.S.	75/199,823	Slow release micronutrient	N/A	Pending	Kalium
ESCOTE	U.S.	1,604,214	Slow release fertilizer	7/2/00	Registered	AgriBusiness
Grower Special	U.S.	2,065,628	Fertilizer	5/27/07	Registered	IMCAB
IBDOO	U.S.	75/199,276	Fertilizers and soil conditioning agents	N/A	Pending	AgriBusiness
IBDU	U.S.	961,242	Fertilizer	6/19/03	Registered	AgriBusiness
IBDU/SCU	U.S.	1,239,009	An ingredient in slow release fertilizer	5/24/03	Registered	AgriBusiness
PAR-EX <sup>1</sup>	European Community	Application No. 5160669	Fertilizer	N/A	Pending	IMCBA
NEW LEADER ON THE COURSE	U.S.	75/199,499	Fertilizers and soil conditioning agents	N/A	Pending	AgriBusiness
PAR-EX	U.S.	684,618	Plant Food	9/8/99	Registered	AgriBusiness
PERK	U.S. (Ill. State Reg.)	66,062	Fertilizers	2/15/00	Registered	Vigoro Industries, Inc.
PERK	U.S.	2,071,127	Fertilizer	6/17/07	Registered	IMCAB
PRO-GRADE <sup>2</sup>	U.S.	2,093,354	Fertilizer	9/2/07	Registered	AgriBusiness
WOODACE	U.S.	1,269,536	Fertilizer	3/13/04	Registered	AgriBusiness
WOODSCAPE	U.S.	1,932,758	Fertilizer	11/7/05	Registered	AgriBusiness

\* Seller is not reflected as owner of record because assignments are not currently reflected in the U.S. Trademark office. All necessary assignments to reflect Seller's ownership of the Marks have been made with respect to the U.S. Trademark Office. No assignments have been made in other countries.

<sup>1</sup> No assignment has been filed by Seller.

<sup>2</sup> This Trademark is licensed to the Independent Turf and Ornamental Distributors Association pursuant to License Agreement dated November 1, 1994.

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