

04-28-2000



101337835

**RECORDATION FORM COVER SHEET
TRADEMARKS ONLY**

mRD 4.11.00

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

Submission Type

New

Resubmission (Non-Recordation)
Document ID #

Correction of PTO Error
Reel # Frame #

Corrective Document
Reel # Frame #

Conveyance Type

Assignment License

Security Agreement Nunc Pro Tunc Assignment

Merger

Change of Name

Other

Conveying Party

Mark if additional names of conveying parties attached

Name Execution Date

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)

Individual General Partnership Limited Partnership Corporation Association

Corporation Association

Other

Citizenship/State of Incorporation/Organization

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 Assignment.)

FOR OFFICE USE ONLY

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 with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231
TRADEMARK

REEL: 002061 FRAME: 0898

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Correspondent Name and Address

Area Code and Telephone Number

254-755-4100

Name

DAN PLEITZ

Address (line 1)

PO BOX 1470

Address (line 2)

WACO, TEXAS 76703

Address (line 3)

Address (line 4)

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

#

7

Trademark Application Number(s) or Registration Number(s)

XX

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)

74/421,910	74/421,664	74/092,105
74/539,576	74/540,318	74/539,577
74/539,591		

1,769,537	1,802,112	1,804,536
1,791,639	1,733,116	1,766,881
1,671,754	1,557,426	1,475,961

Number of Properties

Enter the total number of properties involved.

#

21

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$

540.00

Method of Payment:

Enclosed

XX

Deposit Account

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.

DAN PLEITZ

Name of Person Signing

Signature

April 7, 2000

Date Signed

**RECORDATION FORM COVER SHEET
CONTINUATION
TRADEMARKS ONLY**

FORM PTO-1618C
Expires 06/30/99
OMB 0651-0027

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

Receiving Party

Mark if additional names of receiving parties attached

Enter Additional Receiving Party

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

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.)

Corporation Association

Other

Citizenship/State of Incorporation/Organization

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)

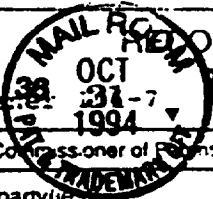
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<input type="text" value="1,252,606"/>	<input type="text" value="1,247,470"/>	<input type="text"/>
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ORV PTO-1594
Rev. 6-53)

JMB No 0821-0411 (sup. 4/94)

EASY Gardener, Inc.



REGISTRATION FORM COVER SHEET TRADEMARKS ONLY

#40.00-481-10
U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office
500.00-482

To the Honorable Commissioner of Patents and Trademarks Please record the attached original documents or copy thereof.

1 Name of conveying party(ies)
Easy Gardener, Inc.

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

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

2 Name and address of receiving party(ies)

Name: Easy Gardener Acquisition Corp.
 Internal Address: Suite 500
 Street Address: 655 Montgomery Street
 City: San Francisco State: CA ZIP: 94111

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

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

3 Nature of conveyance:

Assignment 01 Merger
 Security Agreement Change of Name
 Other _____

Execution Date: September 1, 1994

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

A. Trademark Application No.(s) _____

B. Trademark Registration No.(s)
1,769,537

Additional numbers attached? Yes No

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

Name: Bernard R. Gans
 Internal Address: POMS, SMITH, LANDE & ROSE
38th Floor
 Street Address: _____
2029 Century Park East
 City: Los Angeles State: CA ZIP: 90067

6 Total number of applications and registrations involved: 21

7 Total fee (37 CFR 3.41)..... \$ 540.00

Enclosed
 Authorized to be charged to deposit account

8 Deposit account number:
16-2230

(Attach duplicate copy of this page if paying by deposit account)

REEL 1241 FRAME 243

09C RA 11/10/94 1769537
09C BA 11/10/94 1759537

DO NOT USE THIS SPACE
0 482 500.00 CK

89186300

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.

Bernard R. Gans
Name of Person Signing

Bernard R. Gans
Signature

10/27/94
Date

10 Total number of pages including cover sheet, attachments and document: 7

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

TRADEMARK
REEL: 002061 FRAME: 0901
09623

LISTING OF U.S. REGISTRATIONS

<u>Mark</u>	<u>Registration No.</u>	<u>Registration Date</u>
TREE STAKIT	1,769,537	May 4, 1993
DEER BLOCK	1,802,112	November 2, 1993
BIRD BLOCK	1,804,536	November 16, 1993
SILT BLOCK	1,791,639	September 7, 1993
EASY FEEDER	1,733,116	November 17, 1992
MICROPORE	1,766,881	April 20, 1993
FAST START	1,671,754	January 14, 1992
FABRICPEGS	1,557,426	September 19, 1989
GRO COVER + design	1,475,961	February 9, 1988
GRO-BAGS	1,447,569	July 14, 1987
EASY GARDENER + design	1,445,222	June 30, 1987
WEEDBLOCK + design	1,408,576	September 9, 1986
CLOUD COVER	1,252,606	October 4, 1983
ADKAR + design	1,247,470	August 9, 1983

TRADEMARK

REEL 124 | FRAME 244

09624

PENDING U.S. APPLICATIONS

<u>Mark</u>	<u>Serial No.</u>	<u>Filing Date</u>
WEEDBLOCK	74/421,910	August 9, 1993
EASY GARDENER	74/421,664	August 9, 1993
BARK GUARD	74/092,105	August 28, 1990
STOPS WEEDS FOR YEARS	74/539,576	June 20, 1994
BIOBLOCK	74/539,577	June 20, 1994
PRO WEEDBLOCK	74/539,591	June 20, 1994
TREEWRAF	74/540,318	June 20, 1994

REEL 124 | FRAME 245
TRADEMARK

096?

ASSIGNMENT OF TRADEMARKS AND SERVICE MARKS

This AGREEMENT is effective as of September, 1994, and is entered into between:

1. Easy Gardener, Inc. having a business address of P.O. Box 21025, Waco, Texas 76702-1025, (hereinafter "ASSIGNOR")
2. Easy Gardener Acquisition Corp., a Delaware corporation, having a business address of 655 Montgomery Street, #500, San Francisco, California 94111, (hereinafter "ASSIGNEE")

In consideration of ASSIGNOR and ASSIGNEE entering into the Assets Purchase Agreement, and other valuable and lawful consideration, the receipt of which from ASSIGNEE is hereby acknowledged by ASSIGNOR, ASSIGNOR does hereby:

Sell, assign, and transfer to ASSIGNEE, ASSIGNOR's entire U.S. and foreign right, title and interest in and to all names, marks, designs, and logos which have been used or intended to be used by ASSIGNOR in connection with its business and/or the purchased assets, including all associated artwork, labels, and package designs, together with the goodwill of the business associated therewith, and any and all past, present and future claims, demands, and causes of action based thereon, and including but not limited to the following, their registrations, and/or applications:

REEL 1241 FRAME 246
TRADEMARK

Docket No. 82-40

I. UNITED STATES

<u>Trademark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>
TREE STAKIT	1,769,537	05/04/93
DEER BLOCK	1,802,112	11/02/93
BIRD BLOCK	1,804,536	11/16/93
SILT BLOCK	1,791,639	09/07/93
EASY FEEDER	1,733,116	11/17/92
MICROPORE	1,766,881	04/20/93
FAST START	1,671,754	01/14/92
FABRICPEGS	1,557,426	07/19/89
GRO COVER & DESIGN	1,475,961	02/09/88
GRO-BAGS	1,447,569	07/14/87
EASY GARDENER & DESIGN	1,445,222	06/30/87
WEEDBLOCK & DESIGN	1,408,576	09/09/86
CLOUD COVER	1,252,606	10/04/83
ADKAR & DESIGN	1,247,470	08/09/83
	<u>Serial No.</u>	<u>Filing Date</u>
WEEDBLOCK (BLOCK LETTERS)	74/421,910	08/09/93
EASY GARDENER (BLOCK LETTERS)	74/421,664	08/09/93
BARK GUARD	74/092,105	08/28/90
BIRDHAUS		
SAVER		
PLANT PRO		
STOPS WEEDS FOR YEARS		06/15/94

TRADE
MARK

REEL 124 | FRAME 247

09627

Docket No. 82-40

TREE WRAP		06/15/94
BIOBLOCK		06/15/94
PRO WEEDBLOCK		06/15/94
WEEDBLOCK 3+		
WEEDBLOCK 6+		
SUPERMULCH		

II. REGISTRATIONS - CANADA

<u>Trademark</u>	<u>Req. No.</u>	<u>Req. Date</u>
CLOUDCOVER	296,485	10/26/84
WEEDBLOCK	361,814	11/03/89
GROCOVER	371,724	08/10/90
FABRIC PEGS	382,560	04/05/91

III. APPLICATIONS FOR REGISTRATION - UNITED KINGDOM

		<u>Filing Date</u>
EASY GARDENER	1,521,930	12/23/92
WEEDBLOCK	1,521,927	12/23/92
GRO COVER	1,521,924	12/23/92
BIRDBLOCK	1,534,302	04/29/93

REEL 124 | FRAME 248

IV. APPLICATIONS FOR REGISTRATION - AUSTRALIA

		<u>Filing Date</u>
EASY GARDENER (AND DESIGN)	591,790	12/04/92
WEEDBLOCK (AND DESIGN)	591,791	12/04/92

Docket No. 82-40

BIRDBLOCK

601,567

12/92

V. APPLICATION FOR REGISTRATION - GERMANY

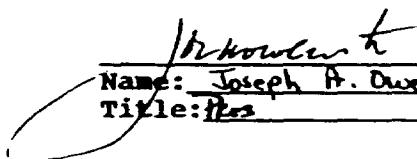
Filing Date

WEEDBLOCK

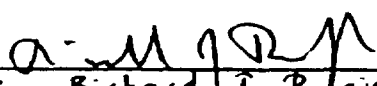
E33359/19

08/23/93

EASY GARDENER, INC.


Name: Joseph A. Owens II
Title: Pres

EASY GARDENER ACQUISITION CORP.


Name: Richard J. Raleigh
Title: VP

REEL 124 | FRAME 249
TRADEMARK

RECORDED
PATENT & TRADEMARK OFFICE

OCT 31 94

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