

05-17-2001

Docket No.:

70752-0004



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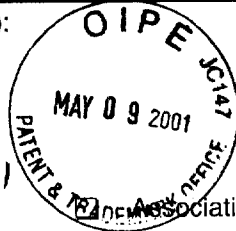
To the Honorable Commissioner of Patents and Trademarks, attached original documents or copy thereof.

1. Name of conveying party(ies):

McStack USA, L.L.C.

5-9-01

2-15-01



- Individual(s)
- General Partnership
- Corporation-State
- Other Limited Liability Corporation

Additional names(s) of conveying party(ies) Yes No

2. Name and address of receiving party(ies):

Name: McCorkle Nurseries, Inc.

Internal Address: _____

Street Address: 4904 Luckey's Bridge Road, SE

City: Dearing State: GA ZIP: 30808

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

If assignee is not domiciled in the United States, a domestic designation is Yes N
(Designations must be a separate document from Additional name(s) & address(es) Yes N

3. Nature of conveyance:

- Assignment
- Security Agreement
- Other _____
- Merger
- Change of Name

Execution Date: January 31, 2001

4. Application number(s) or registration numbers(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

2,145,658

Additional numbers Yes No

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

Name: Conrad J. Clark

Internal Address: Clark & Brody

Street Address: 1750 K Street, NW, Suite 600

City: Washington State: DC ZIP: 20006

6. Total number of applications and registrations involved:.....

1

7. Total fee (37 CFR 3.41):.....\$ 40.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number:

50-1088

05/16/2001 LWELLER 00000274 501088 2145658
B. FOLIO: 40.00 E:

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.

Conrad J. Clark

Name of Person Signing

Conrad Clark

Signature

May 9, 2001

Date

Total number of pages including cover sheet, attachments, and

3

TRADEMARK

5961

REC
TF

02-26-2001



101620936

Docket No.:

70752-0004

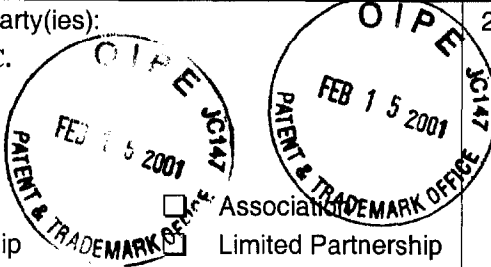
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02/23/2001 DBYRNE 00000024 2145658

DO NOT USE THIS SPACE

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Conrad Clark 40.00 00

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.

Conrad J. Clark

February 15, 2001

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and

2

TRADEMARK

ASSIGNMENT

WHEREAS, McStack USA, L.L.C., of 3631 Clubwood Trail, Marietta, Georgia 30068 hereinafter ("ASSIGNOR"), has adopted and used the mark **MCSTACK** for **stackable metal trays and racks sold to plant nurseries for transporting and displaying plants**, in Class 6 (hereinafter "Mark") and is the owner of Registration No. 2,145,658 of the mark MCSTACK which issued on March 24, 1998, as shown by the records in the United States Patent and Trademark Office (hereinafter "Registration"); and

WHEREAS, **McCorkle Nurseries, Inc.**, incorporated in the State of **Georgia** and having its principal place of business at **4904 Luckey's Bridge Road, S.E., Dearing, Georgia** 30808, is desirous of acquiring all rights, title and interest of ASSIGNOR in and to, and to the use of, said Mark and the goodwill symbolized thereby.

NOW, THEREFORE, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby mutually acknowledged, ASSIGNOR does hereby sell, assign, transfer, and convey to **McCorkle Nurseries, Inc.** all rights, title and interest in and to, and to the use of said Mark, together with the goodwill symbolized thereby, said Registration, and the right to recover damages for any past infringement of said Mark.

Dated: 1-31-00 *oiblc*

By: *DEM*
Donald E. McCorkle, Jr.
President - McStack USA, L.L.C.

STATE OF GEORGIA)
County of McDuffie)

This 31ST day of JANUARY, 2001, before me personally came the above-named, Donald E. McCorkle, Jr., to me personally known as the individual(s) who executed the foregoing assignment, who did acknowledge to me that he executed the same of his own free will for the purposes therein set forth.

Barbara S. Cruise
Official Signature

Notary Public
Official Title

My Commission Expires: August 4, 2003

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