

TRADEMARK RECORDATION COVER SHEET

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102336704

Please record the attached original documents or copy thereof.

| | |
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| <p>1. Name of conveying party(ies): Golub Associates Incorporated</p> <p><input type="checkbox"/> Individual(s) <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation-State <u>New York</u> <input type="checkbox"/> Other _____</p> <p style="text-align: right; font-size: 2em; margin-right: 50px;">1-8-03</p> <p>Additional name(s) conveying party(ies) attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | <p>2. Name and address of receiving party(ies):</p> <p>Name: <u>Easy Gardener, Inc.</u> Street Address: <u>655 Montgomery Street</u> City <u>San Francisco</u> State <u>CA</u> Zip <u>94111</u></p> <p><input type="checkbox"/> Individual(s) <input type="checkbox"/> Association <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation-State <u>Delaware</u> <input type="checkbox"/> Other _____</p> <p>If assignee is not domiciled in the United States, A domestic representative designation is attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>(Designation must be a separate document from Assignment)</p> <p>Additional name(s) and address(es) attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> |
| <p>3. Nature of conveyance:</p> <p><input type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input checked="" type="checkbox"/> Other <u>Release of Security Agreement</u></p> <p>Execution Date: <u>November 12, 2002</u></p> | <p>4. Application number(s) or registration number(s) 1</p> <p>A. Trademark Application No(s): Please see attached Schedule A.</p> <p>B. Trademark Registration No(s): Please see attached Schedule A.</p> |
| <p>5. Name and address of party to whom correspondence concerning documents should be mailed:</p> <p>Name: <u>Marshall C. Stoddard, Esq.</u> Street Address: <u>Mayer, Brown, Rowe & Maw</u> <u>350 South Grand Avenue, 25th Floor</u> City: <u>Los Angeles</u> State: <u>CA</u> Zip: <u>90071</u></p> | <p>6. Total number of applications and registrations involved: <u>36</u></p> <p>7. Total fee (37 CFR 3.41) <u>\$915.00</u></p> <p><input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account</p> <p>8. Deposit account number: _____ (Attach duplicate copy of this page if paying by deposit account)</p> |

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 01 FC:8521 40.00 OP
 02 FC:8522 875.00 OP

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.

| | | |
|---|------------------|---|
| <p>Terry Luu Name of Person Signing</p> | <p>Signature</p> | <p>December 20, 2002 Date</p> |
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SCHEDULE A

| # | Mark | Registration No. | Registration Date | Serial No. | Filing Date |
|-----|----------------------------|------------------|-------------------|------------|-------------|
| 1. | Gro-Bags | 1447569 | 7/14/87 | 73-631381 | 11/20/86 |
| 2. | Easy Gardener | 2356107 | 6/06/00 | | |
| 3. | Easy Gardener | 2294225 | 11/23/99 | | |
| 4. | Jobe's Weed Control Fabric | 2321088 | 2/22/00 | | |
| 5. | Weed Block | 2334841 | 3/28/00 | | |
| 6. | Fabricpegs | 1981079 | 6/18/96 | | |
| 7. | XP-20 | 1989049 | 7/23/96 | | |
| 8. | Scatter Cap | 1986161 | 7/09/96 | | |
| 9. | Bio Block | 1938066 | 11/28/95 | | |
| 10. | Stops Weeds For Years | 1921278 | 9/19/95 | | |
| 11. | Polyspun 350 | 1905636 | 7/18/95 | | |
| 12. | Deer Block | 1802112 | 11/02/93 | | |
| 13. | Bird Block | 1804536 | 11/16/93 | | |
| 14. | Tree Stakit | 1769537 | 5/04/93 | | |
| 15. | Easy Feeder | 1733116 | 11/17/92 | | |
| 16. | Micropore | 1766881 | 4/20/93 | | |
| 17. | Fast Start | 1671754 | 01/14/92 | | |
| 18. | Fabricpegs | 1557426 | 9/19/89 | | |
| 19. | Gro Cover | 1475961 | 2/09/88 | | |
| 20. | WeedBlock | 1408576 | 9/09/86 | | |
| 21. | Easy Gardener | 1445222 | 6/30/87 | | |
| 22. | Cloud Cover | 1252606 | 10/4/83 | | |
| 23. | Tomato Boomers | 1084414 | 2/07/78 | | |
| 24. | Green-Again | 2015572 | 11/12/96 | | |
| 25. | It Works. You Don't. | 1768337 | 5/04/93 | | |
| 26. | Ross | 1741296 | 12/22/92 | | |
| 27. | Ross | 1682545 | 4/14/92 | | |
| 28. | Ross | 1684947 | 5/05/92 | | |
| 29. | Gro-Stakes | 1664643 | 11/19/91 | | |
| 30. | Ross Root Feeder | 1675783 | 2/18/92 | | |
| 31. | Jobe's | 982195 | 4/16/74 | | |
| 32. | Emerald Edge | 1928560 | 10/17/95 | | |
| 33. | FlexiTrim | 2479878 | 8/21/01 | | |
| 34. | Weed Wizard | 2327614 | 3/14/00 | | |
| 35. | Tree Gard | 2010199 | 10/22/96 | | |
| 36. | Jobes | 2261733 | 7/13/99 | | |

RELEASE OF TRADEMARK SECURITY INTEREST

^{Nov} This Release of Trademark Security Interest (the "Release") granted on this 12 day of ~~October~~, 2002, is made by the Golub Associates Incorporated, a New York corporation ("Golub") to Easy Gardener, Inc. a Delaware corporation ("Grantor"), is as follows:

W I T N E S S E T H:

WHEREAS, the Grantor has heretofore granted to Golub, a security interest in certain trademarks, trademark registrations, trademark applications, trade names and services marks and trademark licenses (the "Marks") more particularly set forth on Schedule A attached hereto, all given to secure the obligations of the Grantor as defined in the [**"Trademark Security Agreement" "Collateral Assignment of Trademarks Security Interest"**] between the parties dated [] (the "Trademark Security Agreement"), a copy of which was recorded in the United States Patent and Trademark Office on March 15, 2002, at Reel 2478, Frame 0806; and


WHEREAS, Golub wishes to release and restore all right, title and interest in and to the Marks to the Grantor and to dissolve any and all Liens and encumbrances respecting the Marks shown on the attached Schedule A hereto.

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Golub hereby releases, discharges, quitclaims and relinquishes unto the Grantor any and all right, title and interest in and to the Mark, and more particularly the security interest in the trademarks, trademark registrations, trademark applications, trade names and services marks and trademark licenses set forth on the Schedule A attached hereto, all granted to Golub by the Grantor by the Trademark Security Agreement.

IN WITNESS WHEREOF, the undersigned, by and through its authorized officer, has caused this instrument to be executed under seal on the date first written above.

Dated: ^{Nov} October 12, 2002

GOLUB ASSOCIATES INCORPORATED,
a New York corporation

By: 
Name: GREGORY W. CASHMAN
Title: VICE PRESIDENT

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF ~~CALIFORNIA~~ NEW YORK)
) SS.
COUNTY OF NEW YORK)

On November 12, 2002, before me, Laurette Keiper,
Date Name and Title of Officer (e.g. "Jane Doe, Notary Public")
personally appeared GREGORY W. CASHMAN,
Name of Signer(s)

" personally known to me - OR - [] proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. WITNESS my hand and official seal.

LAURETTE V. KEIPER
Notary Public, State of New York
No. 01KE6042164
Qualified in New York County
Commission Expires May 15, 2006

[Handwritten Signature]
Signature of Notary Public

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY(IES) CLAIMED BY SIGNER(S)

DESCRIPTION OF ATTACHED DOCUMENT

- Individual
Corporate Officer
Partner(s)
Attorney-In-Fact
Trustee(s)
Guardian/Conservator
Other:

Trademark Release
Title or Type of Document
Number of Pages
Date of Document
Signer(s) Other Than Named Above

Signer is Representing:
Name of Person(s) or Entity(ies)