

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

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|------------------------------|--------------------------|
| SUBMISSION TYPE: | NEW ASSIGNMENT |
| NATURE OF CONVEYANCE: | RELEASE BY SECURED PARTY |

CONVEYING PARTY DATA

| Name | Formerly | Execution Date | Entity Type |
|----------------------------|----------|----------------|-------------------------------------|
| CapitalSource Finance, LLC | | 06/16/2006 | LIMITED LIABILITY COMPANY: DELAWARE |

RECEIVING PARTY DATA

| | |
|------------------------|-----------------------------|
| Name: | Easy Gardener Products, LTD |
| Street Address: | 3022 Franklin Avenue |
| City: | Waco |
| State/Country: | TEXAS |
| Postal Code: | 76710 |
| Entity Type: | LIMITED PARTNERSHIP: TEXAS |

| | |
|------------------------|--------------------------|
| Name: | Eyas International, Inc. |
| Street Address: | 3022 Franklin Avenue |
| City: | Waco |
| State/Country: | TEXAS |
| Postal Code: | 76710 |
| Entity Type: | CORPORATION: TEXAS |

| | |
|------------------------|-----------------------------------|
| Name: | EG, L.L.C. |
| Street Address: | 3022 Franklin Avenue |
| City: | Waco |
| State/Country: | TEXAS |
| Postal Code: | 76710 |
| Entity Type: | LIMITED LIABILITY COMPANY: NEVADA |

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|------------------------|--------------------------------|
| Name: | E G Product Management, L.L.C. |
| Street Address: | 3022 Franklin Avenue |
| City: | Waco |
| State/Country: | TEXAS |

OP \$1615.00 3091231

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|--------------|----------------------------------|
| Postal Code: | 76710 |
| Entity Type: | LIMITED LIABILITY COMPANY: TEXAS |

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|-----------------|---|
| Name: | Weatherly Consumer Products Group, Inc. |
| Street Address: | 3022 Franklin Avenue |
| City: | Waco |
| State/Country: | TEXAS |
| Postal Code: | 76710 |
| Entity Type: | CORPORATION: DELAWARE |

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|-----------------|-----------------------------------|
| Name: | Weatherly Consumer Products, Inc. |
| Street Address: | 3022 Franklin Avenue |
| City: | Waco |
| State/Country: | TEXAS |
| Postal Code: | 76710 |
| Entity Type: | CORPORATION: DELAWARE |

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|-----------------|----------------------------------|
| Name: | NBU Group, L.L.C. |
| Street Address: | 3022 Franklin Avenue |
| City: | Waco |
| State/Country: | TEXAS |
| Postal Code: | 76710 |
| Entity Type: | LIMITED LIABILITY COMPANY: TEXAS |

PROPERTY NUMBERS Total: 64

| Property Type | Number | Word Mark |
|----------------------|---------|---|
| Registration Number: | 3091231 | EASY GARDENER YARD & GARDEN BAG |
| Registration Number: | 2969910 | JOBE'S |
| Registration Number: | 2953484 | GREEN-AGAIN |
| Registration Number: | 2780853 | VILLA GARDEN TILES |
| Registration Number: | 2892282 | ENGLISH STONE VILLA GARDEN TILES |
| Registration Number: | 2667208 | COUNTRY CLASSIC BORDER |
| Registration Number: | 2892032 | ROMA VILLAGARDEN TILES |
| Registration Number: | 2664490 | WHIMSICAL ARCH |
| Registration Number: | 2696514 | WHIMSICAL LOOP |
| Registration Number: | 2892283 | ENGLISH STONE FINIAL VILLA GARDEN TILES |
| Registration Number: | 2898349 | ADOBE VILLA GARDEN TILES |
| Registration Number: | 2359625 | GREAT RESULTS. LESS WORK. |

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| Registration Number: | 2321088 | JOBE'S WEED CONTROL FABRIC |
| Registration Number: | 2334841 | WEED BLOCK |
| Registration Number: | 2356107 | EASY GARDENER |
| Registration Number: | 2294225 | EASY GARDENER |
| Registration Number: | 2010199 | TREE GARD |
| Registration Number: | 1981079 | FABRICPEGS |
| Registration Number: | 1989049 | XP-20 |
| Registration Number: | 1986161 | SCATTER CAP |
| Registration Number: | 1938066 | BIO BLOCK |
| Registration Number: | 1921278 | STOPS WEEDS FOR YEARS |
| Registration Number: | 1928560 | EMERALD EDGE |
| Registration Number: | 1769537 | TREE STAKIT |
| Registration Number: | 1804536 | BIRD BLOCK |
| Registration Number: | 1802112 | DEER BLOCK |
| Registration Number: | 1768337 | IT WORKS. YOU DON'T. |
| Registration Number: | 1741296 | ROSS |
| Registration Number: | 1671754 | FAST START |
| Registration Number: | 1682545 | ROSS |
| Registration Number: | 1664643 | GRO-STAKES |
| Registration Number: | 1675783 | ROSS ROOT FEEDER |
| Registration Number: | 1684947 | ROSS |
| Registration Number: | 1557426 | FABRICPEGS |
| Registration Number: | 1475961 | GRO COVER |
| Registration Number: | 1447569 | GRO-BAGS |
| Registration Number: | 1445222 | EASY GARDENER |
| Registration Number: | 1408576 | WEEDBLOCK |
| Registration Number: | 1252606 | CLOUD COVER |
| Registration Number: | 1084414 | 'TOMATO BOOMERS' |
| Registration Number: | 2883762 | JOBE'S |
| Registration Number: | 1905636 | POLYSPUN 350 |
| Registration Number: | 2292883 | ZINNIA PATCH |
| Registration Number: | 2479878 | FLEXITRIM |
| Registration Number: | 2308303 | AMTURF LAWN PATCH |
| Registration Number: | 2269486 | DOG PATCH |
| Registration Number: | 2145480 | AMTURF |

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| Registration Number: | 1452412 | AMTURF |
| Serial Number: | 78656149 | THE LIGHTING LAWN EDGING |
| Serial Number: | 78656318 | ROOTBLOCK |
| Serial Number: | 78656023 | ILLUMA-EDGE |
| Serial Number: | 78656407 | FEEDS A LITTLE EVERY DAY |
| Serial Number: | 78656371 | JOBE'S DRIP FEEDER |
| Serial Number: | 78656340 | JOBE'S HYDRO-FEEDER |
| Serial Number: | 78656415 | BIO FABRICPEGS |
| Serial Number: | 78430033 | EASY GARDENER SUN SCREEN CANOPY |
| Serial Number: | 78430043 | EASY GARDENER NATURAL GARDEN BORDERS |
| Serial Number: | 78430057 | EASY GARDENER PLANT PROTECTION BLANKET |
| Serial Number: | 78430058 | EASY GARDENER PLANT PROTECTOR BAGS |
| Serial Number: | 78403938 | PRO WEEDBLOCK |
| Serial Number: | 78282234 | EASY GARDENER POT TOP & LINER |
| Serial Number: | 78263421 | WEEDBLOCK |
| Serial Number: | 78430067 | EASY GARDENER CHRISTMAS TREE BAG |
| Serial Number: | 78430069 | EASY GARDENER CHRISTMAS TREE SAVER |

CORRESPONDENCE DATA

Fax Number: (312)863-7806
Correspondence will be sent via US Mail when the fax attempt is unsuccessful.
Phone: 312-863-7198
Email: nancy.brougher@goldbergkohn.com
Correspondent Name: Nancy Brougher c/o Goldberg Kohn
Address Line 1: 55 East Monroe Street
Address Line 2: Suite 3700
Address Line 4: Chicago, ILLINOIS 60603

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|-------------------------|----------------|
| ATTORNEY DOCKET NUMBER: | 1941.180 |
| NAME OF SUBMITTER: | Nancy Brougher |
| Signature: | /njb/ |
| Date: | 06/21/2006 |

Total Attachments: 4
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**NOTICE OF TERMINATION OF
ACKNOWLEDGEMENT OF INTELLECTUAL COLLATERAL PROPERTY LIEN**

Reference is made to that certain Acknowledgement of Intellectual Property Collateral Lien dated as of October 29, 2003, as amended by that certain First Amendment to Acknowledgement of Intellectual Property Collateral Lien dated as of October 20, 2005 (the "Intellectual Property Agreement") made by each of EASY GARDENER PRODUCTS, LTD., a Texas limited partnership, (the "Borrower"), EYAS INTERNATIONAL, INC., a Texas corporation, EG, L.L.C., a Nevada limited liability company, E G PRODUCT MANAGEMENT, L.L.C., a Texas limited liability company, WEATHERLY CONSUMER PRODUCTS GROUP, INC., a Delaware corporation, WEATHERLY CONSUMER PRODUCTS, INC., a Delaware corporation and NBU GROUP, L.L.C., a Texas limited liability company (each a "Guarantor", and collectively with the Borrower, the "Grantors"), in favor of CAPITALSOURCE FINANCE LLC, a Delaware limited liability company, as administrative agent and collateral agent for certain Lenders (in such capacities, "Secured Party"). Capitalized terms used herein and not defined herein shall have the meanings ascribed to such terms in the Intellectual Property Agreement.


WHEREAS, the Intellectual Property Agreement was recorded in the United States Patent and Trademark Office on November 8, 2005 at Reel 016745, Frame 0160 and Reel 003190, Frame 0263 and in the United States Copyright Office on November 16, 2005 in Volume 3532, Doc. No. 358.

WHEREAS, Secured Party wishes to provide a document suitable for recording in the United States Patent and Trademark Office and United States Copyright Office, respectively, for purposes of recording the release, relinquishment and discharge of the security interests in and to the Intellectual Property Collateral granted by Grantors to Secured Party under and pursuant to the Intellectual Property Agreement and other Loan Documents.

NOW, THEREFORE, in consideration of and in exchange for good and valuable consideration, Secured Party hereby relinquishes, releases and discharges its security interest in and to the Intellectual Property Collateral.

IN WITNESS WHEREOF, the Secured Party has caused this Notice of Termination of Intellectual Property Collateral Lien to be duly executed as of June 16, 2006.

**CAPITALSOURCE FINANCE LLC, as
Secured Party**

By: 
Name: **Peggy Balsawer**
Title: **Associate General Counsel
Corporate Finance**

TRADEMARK REGISTRATIONS

| <u>Trademark Description</u> | <u>Registration No.</u> |
|---|-------------------------|
| Easy Gardener Yard & Garden Bag | 3091231 |
| Jobe's | 2969910 |
| Green-Again | 2953484 |
| Villa Garden Tiles | 2780853 |
| English Stone Villa Garden Tiles | 2892282 |
| Country Classic Border | 2667208 |
| Roma Villagarden tiles | 2892032 |
| Whimsical Arch | 2664490 |
| Whimsical Loop | 2696514 |
| English Stone Finial Villa Garden Tiles | 2892283 |
| Adobe Villa Garden Tiles | 2898349 |
| Great Results. Less Work. | 2359625 |
| Jobe's Weed Control Fabric | 2321088 |
| Weed Block | 2334841 |
| Easy Gardener | 2356107 |
| Easy Gardener | 2294225 |
| Tree Gard | 2010199 |
| Fabricpegs | 1981079 |
| XP-20 | 1989049 |
| Scatter Cap | 1986161 |
| Bio Block | 1938066 |
| Stops Weeds For Years | 1921278 |
| Emerald Edge | 1928560 |
| Tree Stakit | 1769537 |
| Bird Block | 1804536 |
| Deer Block | 1802112 |
| It Works. You Don't. | 1768337 |
| Ross | 1741296 |
| Fast Start | 1671754 |
| Ross | 1682545 |
| Gro-Stakes | 1664643 |
| Ross Root Feeder | 1675783 |
| Ross | 1684947 |
| Fabricpegs | 1557426 |
| Gro Cover | 1475961 |
| Gro-Bags | 1447569 |
| Easy Gardener | 1445222 |
| Weedblock | 1408576 |
| Cloud Cover | 1252606 |
| 'Tomato Boomers' | 1084414 |
| Jobe's | 2883762 |
| Polyspun 350 | 1905636 |

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| Zinnia Patch | 2292883 |
| Flexitrim | 2479878 |
| Amturf Lawn Patch | 2308303 |
| Dog Patch | 2269486 |
| Amturf | 2145480 |
| Amturf | 1452412 |

TRADEMARK APPLICATIONS

| <u>Trademark Application Description</u> | <u>U.S. Application No.</u> |
|--|-----------------------------|
| The Lighting Lawn Edging | 78656149 |
| Rootblock | 78656318 |
| Illuma-Edge | 78656023 |
| Feeds A Little Every Day | 78656407 |
| Jobe's Drip Feeder | 78656371 |
| Jobe's Hydro-Feeder | 78656340 |
| Bio Fabricpegs | 78656415 |
| Easy Gardener Sun Screen Canopy | 78430033 |
| Easy Gardener Natural Garden Borders | 78430043 |
| Easy Gardener Plant Protection Blanket | 78430057 |
| Easy Gardener Plant Protector Bags | 78430058 |
| Pro Weedblock | 78403938 |
| Easy Gardener Pot Top & Liner | 78282234 |
| WeedBlock | 78263421 |
| Easy Gardener Christmas Tree Bag | 78430067 |
| Easy Gardener Christmas Tree Saver | 78430069 |