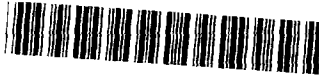


WRD 11-7-01

01-18-2002

FORM PTO-1595  
(Rev. 6-93)

RI



U.S. Department of Commerce

OMB No. 0651-0011 (exp. 4/94)

101952480

Patent and Trademark Office

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

1. Name of conveying party(ies):

Clemente Conde

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

3. Nature of conveyance:

Assignment

Merger

Security Agreement

Change of Name

Other

Execution Date: October 30, 2001

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

Name: Easy Gardener, Inc.

Internal Address:

Street Address: 3022 Franklin Avenue

City: Waco State: TX Zip: 76710

Additional name(s) & address(es) attached?  Yes  No

jc979 U.S. PTO  
10/039633  
11/07/01

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

10039633

If this document is being filed together with a new application, the execution date of the application is: October 30, 2001

A. Patent Application No.(s):

B. Patent No.(s):

Additional numbers attached?  Yes  No

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

Name: Richard D. Egan

O'KEEFE, EGAN & PETERMAN  
1101 Capital of Texas Highway South  
Building C, Suite 200

City: Austin State: Texas Zip: 78746

6. Total number of applications and patents involved: 1

7. Total fee (37 C.F.R. 3.41)----- \$ 40.00

Enclosed

Authorized to be charged to deposit account if check insufficient or inadvertently omitted

8. Deposit account number:

10-1205/EASY:021

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

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.

Richard D. Egan

Name of Person Signing

[Signature]

Signature

11/7/01

Date

Reg. No. 36,788

Total number of pages including cover sheet, attachments and documents: 2

NUMBER: EV044385772US

I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service, postage prepaid, under 37 CFR 1.10 on the date indicated above and is address to: Assistant Commissioner of Patents, Washington, D.C. 20231.

[Signature]  
Signature

11-7-01  
Date

01/17/2002 TDIAZ1 00000066 10039633

01 FC:581

40.00 DP

PATENT  
REEL: 012469 FRAME: 0895

# ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, the undersigned, do hereby:

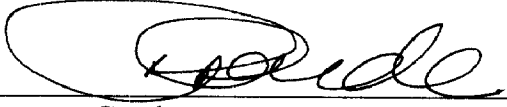
SELL, ASSIGN AND TRANSFER to Easy Gardener, Inc. (the "Assignee"), being incorporated under the laws of the State of Texas, having a place of business at 3022 Franklin Avenue, Waco, Texas 76710, the entire right, title and interest for the United States and all foreign countries in and to any and all improvement which are disclosed in the application filed concurrently herewith and is entitled "LAWN EDGING STRIP WITH IMPROVED END CONNECTORS," such application and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof; and generally do everything possible which the Assignee shall consider desirable for vesting title to such improvements in the Assignee, and for securing, maintaining and enforcing proper patent protection for such improvements;

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

(Signature):  Date: 10/30/01  
Clemente Conde

State of Texas )  
                          )  
County of \_\_\_\_\_)

BEFORE ME, the undersigned authority, on this 30<sup>th</sup> day of October, 2001, personally appeared Clemente Conde, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.



  
Notary or Consular Officer

[SEAL]