

11/5/04

11-09-2004

RECORD

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To the Director of the U.S. Patents and Trademar.

102878276

the new address(es) below.

1. Name of conveying party(ies)/Execution Date(s):

Sheila Jones

Execution Date(s) 10/29/04

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

2. Name and address of receiving party(ies)

Name: Easy Gardener Products, Ltd.

Internal Address:

Street Address: 3022 Franklin Avenue

City: Waco

State: Texas

Country: USA

Zip: 76710

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

3. Nature of conveyance:

- Assignment Merger
- Security Agreement Change of Name
- Government Interest Assignment
- Executive Order 9424, Confirmatory License
- Other _____

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

A. Patent Application No.(s)

29/210,787

This document is being filed together with a new application.

B. Patent No.(s)

Additional numbers attached? Yes No

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

Name: Richard D. Egan

Internal Address:

Street Address: 1101 Capital of Tex. Hwy. So., C-200

City: Austin

State: Texas Zip: 78746

Phone Number : 512-347-1611

Fax Number: 512-347-1615

Email Address: regan@oeplaw.com

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 1.21(h) & 3.41) \$ 40.00

- Authorized to be charged by credit card
- Authorized to be charged to deposit account
- Enclosed
- None required (government interest not affecting title)

8. Payment Information

a. Credit Card Last 4 Numbers _____
Expiration Date _____

b. Deposit Account Number 10-1205

Authorized User Name O'Keefe, Egan & Peterman

9. Signature :

Richard D. Egan
Signature

11/1/04

Date

Richard D. Egan, Reg. No. 36,788

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

2

11/08/2004 DBYRNE 00000037 29210787
Name of Person Signing

01 FC:8021

Documents to be recorded (including cover sheet) should be faxed to (703) 306-5995, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O.Box 1450, Alexandria, V.A. 22313-1450

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 Products, Ltd. (the "Assignee"), being incorporated under the laws of the State of Delaware, having a place of business at 3022 Franklin Ave., Waco, TX 76710, the entire right, title and interest for the United States and all foreign countries in and to (1) any and all improvements which are disclosed in the application for United States Letters Patent, which is entitled "LANDSCAPE EDGING AND IRRIGATION DEVICE," (2) such application and all divisional, continuing, continuation-in-part, 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; and (3) any and all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such applications 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): Sheila B Jones Date: 10/29/04
Sheila Jones

State of Texas)
County of McHennan)

BEFORE ME, the undersigned authority, on this 29th day of October, 2004, personally appeared Sheila Jones, 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.

Kathy A Winters
Notary or Consular Officer

