

PATENT ASSIGNMENT

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SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT
EFFECTIVE DATE:	01/27/2006

CONVEYING PARTY DATA

Name	Execution Date
Nancy L. Knight	01/27/2006

RECEIVING PARTY DATA

Name:	Smith and Hawken Ltd.
Street Address:	4 Hamilton Landing
City:	Novato
State/Country:	CALIFORNIA
Postal Code:	94949

PROPERTY NUMBERS Total: 1

Property Type	Number
Application Number:	29245300

CORRESPONDENCE DATA

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 Address Line 4: Palo Alto, CALIFORNIA 94304-1006

ATTORNEY DOCKET NUMBER:	24997-037
NAME OF SUBMITTER:	Greg T. Warder

Total Attachments: 3
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ASSIGNMENT OF DESIGN PATENT APPLICATION

WHEREAS, I, **Nancy L. Knight** (hereinafter referred to as “**ASSIGNOR**”), have invented a certain invention entitled **CONTAINER AND STAND** for which application for Letters Patent of the United States of America was filed on **December 20, 2005**, and assigned Application No. **29/245,300**; and

WHEREAS, **Smith and Hawken Ltd.**, a corporation organized and existing under and by virtue of the laws of the **Delaware** and having its place of business **4 Hamilton Landing, Novato, CA 94949**, (hereinafter referred to as “**ASSIGNEE**”), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under any Patent or similar legal protection to be obtained therefor in the United States of America, its territorial possessions and in any and all countries foreign thereto.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, **ASSIGNOR** hereby sells, assigns, transfers and sets over unto the said **ASSIGNEE**, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or application or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto to be obtained for said invention by said application, and to any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in the United States or a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and **ASSIGNOR** hereby authorize and request the United States Commissioner of Patents and Trademarks and any officials of foreign countries whose duty it is to issue patents or any legal equivalent thereof to said **ASSIGNEE**, its successors and assigns, in accordance with this Assignment.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Agreement; and

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents in the United States or in any foreign country, which may be necessary or desirable to carry out the purposes thereof.

Executed this 27 day of January, 2006, at 9:00 am
Nancy L. Knight
Nancy L. Knight

State of California) SS:
County of Marin)

Before me personally appeared said Nancy L. Knight and acknowledged the foregoing instrument to be his/her free act and deed this 27th day of January, 2006.

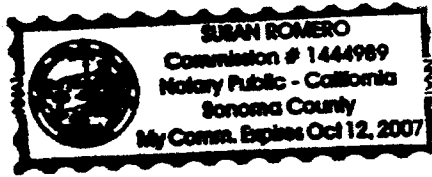
Seal See attached
(Notary Public)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
County of Marin } ss.

On January 27, 2006 before me, Susan Romero, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared Nancy L. Knight
Name(s) of Signer(s)

personally known to me
 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.

Susan Romero
Signature of Notary Public

OPTIONAL

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

Description of Attached Document

Title or Type of Document: Assignment of Design Patent Application

Document Date: January 27, 2006 Number of Pages: 2

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: Nancy L. Knight

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER

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