

02-01-2002



Form PTO-1594 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002) Tab settings

U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

101967363

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

1. Name of conveying party(ies):

ING (U.S.) Capital LLC

- Individual(s), Association, General Partnership, Limited Partnership, Corporation-State, Other

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

2. Name and address of receiving party(ies)

Name: Pursell Industries, Inc.

Internal Address:

Street Address: 201 West Fourth Street

City: Sylacauga State: AL Zip: 35150

- Individual(s) citizenship, Association, General Partnership, Limited Partnership, Corporation-State, Other

assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No

3. Nature of conveyance:

- Assignment, Merger, Security Agreement, Change of Name, Other Trademark Transfer & Assignment

Execution Date: December 17, 2001

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

see attachment

Additional number(s) attached Yes No

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

Name: Seth Traxler, Esq.

Internal Address: Kirkland & Ellis

Street Address: 200 East Randolph Drive Suite 5300

City: Chicago State: IL Zip: 60601

6. Total number of applications and registrations involved:

40

7. Total fee (37 CFR 3.41) \$ 1015.00

- Enclosed, Authorized to be charged to deposit account

8. Deposit account number:

22-0440

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

DO NOT USE THIS SPACE

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.

Seth Traxler Name of Person Signing

Signature

January 18, 2002 Date

7

Total number of pages including cover sheet, attachments, and document:

Mail documents to be recorded with required cover sheet information to: Commissioner of Patent & Trademarks, Box Assignments Washington, D.C. 20231

01/31/2002 6TOM11 00000254 1781982

01 FC:481 02 FC:482

40.00 OP 975.00 OP

TRADEMARK REEL: 002434 FRAME: 0568

SCHEDULE A

to Trademark Transfer and Assignment  
dated December 17, 2001  
by ING (U.S.) Capital LLC, as Agent  
to Pursell Industries, Inc.

Trademark	Registration Number	Date
ATLANTA TURF SPECIAL	1,781,982	7/13/93
BETTER LAWNS	1,548,755	7/18/89
BLOOM START	1,657,901	9/24/91
BULB BOOSTER	1,287,510	7/31/84
BULBBOOSTER	1,270,432	3/20/84
CALADIUM BOOSTER	1,903,304	7/4/95
CAROLINA SPECIAL	2,003,574	9/24/96
TULIP DESIGN ONLY	1,426,130	10/24/95
EASY LIME	1,508,732	10/18/88
FLOWER POWER	1,679,773	3/17/92
GOAL LINE	1,514,215	11/29/88
GREENSKOTE	1,455,964	9/8/87
INSTAGREEN	1,427,065	2/3/87
MASTER GREEN	1,508,729	10/18/88
MELLOW VALLEY	996,246	10/22/74
NURSERY SPECIAL	1,123,884	8/14/79
PARKER'S	1,240,749	6/7/83
PERENNIAL BOOSTER	1,796,668	10/5/93
PHERTILIZER	1,724,786	10/13/92
ROCKET	773,054	7/14/64
SEED & SOD	1,114,763	3/13/79
SOILIFE	847,806	4/23/68
STA-GREEN	686,131	
STA-GREEN	807,450	4/26/66
STA-GREEN II	1,813,279	12/28/93
STA-GREEN WINTER CONDITIONER	1,607,880	7/31/90
SUMMER GREEN	1,960,689	3/5/96
SUPREME GREEN	1,539,907	5/23/89
TEXAS TURF	1,775,662	6/8/93
VERTAGREEN	525,504	5/23/50

Trademark Licenses

Trademark	Number	Licensor	Licensee
BIG CROP	508,395	Pursell Technologies	Pursell
K-KOTE	1,542,143	Pursell Technologies	Pursell
NITRAZINE	1,445,764	Pursell Technologies	Pursell
NURSERY BLEND	1,776,958	Pursell Technologies	Pursell
PURSELL	1,446,947	Pursell Technologies	Pursell
PURSELL'S	2,011,233	Pursell Technologies	Pursell
SULFURKOTE	1,156,017	Pursell Technologies	Pursell
GREEN	75/009,459	RLC Technologies	Pursell
POLYON	1,834,216	RLC Technologies	Pursell
TRIKOTE	1,912,112	RLC Technologies	Pursell

{167575.1} 000312-00148

**TRADEMARK TRANSFER AND ASSIGNMENT**

FOR VALUE RECEIVED, the undersigned, **ING (U.S.) CAPITAL LLC** (formerly ING (U.S.) Capital Corporation), a limited liability company, as Agent ("Assignor"), does hereby sell, assign, transfer and convey to **PURSELL INDUSTRIES, INC.**, a Delaware corporation ("Assignee"), **without any representation or warranty by, or recourse to**, Assignor, all right, title and interest of Assignor in and to the trademarks listed on Schedule A attached hereto, arising under that certain Collateral Assignment and Security Agreement (Trademarks) between Assignee and Assignor (as at any time amended, the "Trademark Security Agreement"), recorded March 25, 1997, on Reel No. 1547, Frame 0907, United States Patent and Trademark Office, together with the goodwill of the business symbolized by the marks.

This Assignment intended to operate as a release of all liens and security interests conveyed by Assignee to Assignor pursuant to the terms of that certain Trademark Security Agreement, and to reassign to Assignee all of Assignor's right, title, and interest acquired pursuant to the terms of such Trademark Security Agreement.

IN WITNESS WHEREOF, Assignor has caused this Trademark Transfer and Assignment to be signed and sealed by its duly authorized officers, on December 17, 2001.

**ING (U.S.) CAPITAL LLC**, as Agent

By: Ed A [Signature]

Title: Vice President

STATE OF Georgia )  
COUNTY OF Cobb )

BEFORE ME, the undersigned, a Notary Public in and for the county aforesaid, on this 17th day of December, 2001, personally appeared Edward A. Carpenter, to me known personally, and who, being by me duly sworn, deposes and says that he is the Vice President of ING (U.S.) CAPITAL LLC, a limited liability company, and that said instrument was signed by him on behalf of said limited liability company by authority of its Board of Directors, and said Vice President acknowledged said instrument to be the free act and deed of said limited liability company.

Mary Beth Meeder  
Notary Public  
Executed on December 17, 2001  
My Commission Expires:  
Notary Public, Fulton Co., GA  
My Commission Expires January 3, 2004  
[NOTARIAL SEAL]

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