

02-01-2002

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



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

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

1. Name of conveying party(ies):

Fleet Capital Corporation

1.18.02

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

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

3. Nature of conveyance:

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

Execution Date: December 17, 2001

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 Delaware Other

assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No (Designations must be a separate document from assignment) Additional name(s) & address(es) attached? Yes No

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:

35

7. Total fee (37 CFR 3.41): \$ 890.00

- 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

Total number of pages including cover sheet, attachments, and document: 8

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

01/31/2002 6TON11 00000243 2046768

01 FC:481 02 FC:482

40.00 OP 850.00 OP

TRADEMARK REEL: 002437 FRAME: 0396

Trademark Schedule

Registration No.	Mark
2046768	ACIDIZER
1781992	ATLANTA TURF SPECIAL
1548755	BETTER LAWNS
1657901	BLOOM START
1270432	BULB BOOSTER
1287510	BULB BOOSTER
1903304	CALADIUM BOOSTER
2003574	CAROLINA SPECIAL
1508732	EASY LIME
1679773	FLOWER POWER
1514215	GOAL LINE
1455964	GREENSKOTE
2046754	GREYSTONE
1427065	INSTAGREEN
1508729	MASTER GREEN
1123884	NURSERY SPECIAL
1240749	PARKER'S
1796668	PERENNIAL BOOSTER
1724786	PHERTILIZER
0773054	ROCKET
1114763	SEED & SOD
0847806	SOILIFE
0834914	STA-GREEN
0686131	STA-GREEN
0807450	STA-GREEN & DESIGN
1813279	STA-GREEN II
1607880	STA-GREEN WINTER CONDITIONER
1960689	SUMMER GREEN
1539907	SUPREME GREEN
0842707	TEE GREEN
1775662	TEXAS TURF
0841468	TOURNAMENT
1426130	TULIP DESIGN
0525504	VERTAGREEN
2079948	WHITE HOUSE

TRADEMARK TRANSFER AND ASSIGNMENT

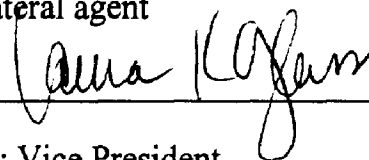
FOR VALUE RECEIVED, the undersigned, **FLEET CAPITAL CORPORATION**, a Rhode Island corporation, as collateral agent ("Assignor"), does hereby sell, assign, transfer and convey to **PURSELL INDUSTRIES, INC.**, a Delaware corporation ("Assignee"), **without any representation or warranty by, or recourse to**, Assignor, all right, title and interest of Assignor in and to the trademarks listed on Schedule A attached hereto, arising under that certain Trademark Security Agreement, dated May 29, 1998, between Assignee and Assignor (as at any time amended, the "Trademark Security Agreement"), recorded June 12, 1998, on Reel No. 1752, Frame 865, 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 Agreement.

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

FLEET CAPITAL CORPORATION,
as collateral agent

By: _____



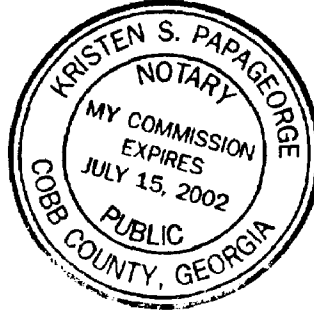
Title: Vice President

STATE OF Georgia)
COUNTY OF Cobb)

BEFORE ME, the undersigned, a Notary Public in and for the county aforesaid, on this 17 day of Dec., 2001, personally appeared Laura K. Glass, to me known personally, and who, being by me duly sworn, deposes and says that he is the Vice President of FLEET CAPITAL CORPORATION, a Rhode Island corporation, and that said instrument was signed by ~~him~~ on behalf of said corporation by authority of its Board of Directors, and said Vice President acknowledged said instrument to be the free act and deed of said corporation.

Kristen S. Papageorge
Notary Public
Executed on 12/17/01
My Commission Expires: 7/15/02

[NOTARIAL SEAL]



SCHEDULE A

to Trademark Transfer and Assignment
dated _____, 2001
by Fleet Capital Corporation, as collateral agent
to Pursell Industries, Inc.

1. United States Trademark Registration Number _____, dated _____.
2. United States Trademark Registration Number _____, dated _____.
3. United States Trademark Registration Number _____, dated
_____.
4. United States Trademark Registration Number _____, dated
_____.
5. United States Trademark Registration Number _____, dated
_____.

Schedule A

1

FEDERAL TRADEMARK LISTING			UPDATE: >
for PURSELL INDUSTRIES, INC.		Ownership	License & Comments
Reg./Ser. No.	Trademark Name		
1 common law	3 MONTH	PI	
2 common law	6 MONTH	PI	
3 common law	9 MONTH	PI	
4 R2,046,766	ACIDIZER	PI	
5 common law	Alaskan Ice Melt	PI	
6 common law	ALL PURPOSE	PI	
7 R1,781,992	ATLANTA TURF SPECIAL	PI	
8 NO APPLICATION	BARK ROCK	PI	
9 R1,546,755	BETTER LAWNS (for magazine inserts)	PI	
10 R1,657,901	BLOOM START	PI	
11 R1,270,432	BULB BOOSTER	PI	
12 R1,287,510	BULB BOOSTER	PI	
13 CR-TMA337458	BULB BOOSTER - Canada	PI	
14 CR-TMA367,996	BULB BUILDER - Canada	PI	
15 R1,903,304	CALADUM BOOSTER	PI	
16 R2,003,574	CAROLINA SPECIAL	PI	
17 NO APPLICATION	CHIP GRIP	PI	
18 R1,508,732	EASY LIME	PI	
19 R1,679,773	FLOWER POWER	PI	
20 R1,514,215	GOAL LINE	PI	
21 PENDING	GREEN GRASS GUARANTEE	PI	
22 R1,455,984	GREENSKOTE	PI	LICENSE TO PTI ONLY
23 CR-TMA 400,948	GREENSKOTE - Canada	PI	LICENSE TO PTI ONLY
24 R2,046,754	GREYSTONE	PI	
25 R1,427,065	INSTAGREEN	PI	
26 R1,608,729	MASTER GREEN	PI	
27 R1,123,884	NURSERY SPECIAL	PI	LICENSE TO PTI
28 R1,240,749	PARKER'S	PI	
29 R1,796,668	PERENNIAL BOOSTER	PI	
30 CR-TMA431,908	PERENNIAL BOOSTER - Canada	PI	
31 R1,724,786	PHERTILIZER	PI	
32 R773,054	ROCKET	PI	
33 R1,114,763	SEED & SOD	PI	

1752/0865

FEDERAL TRADEMARK LISTING

for PURSELL INDUSTRIES, INC.

UPDATE: >

Reg. No.	Trademark Name	Ownership	License & Comments
34 RB47,006	SOILIFE	PI	
35 RB34,914	X STA-GREEN for Seed	PI	
36 RB66,131	STA-GREEN	PI	LICENSE TO PTI
37 RB07,450	STA-GREEN & Design	PI	LICENSE TO PTI W/ PTI RETAINING EXCL. IN PROF. PR-
38 RB07,450	STA-GREEN & Design	PI	CONSUMER TO RETAIN EXCLUSIVE USE IN CONSUME
39 CTM	STA-GREEN European Union Reg.	PI	LICENSE TO PTI
40 R1,013,279	STA-GREEN II	PI	LICENSE TO PTI
41 R1,607,880	STA-GREEN WINTER CONDITIONER	PI	
42 R1,980,889	SUMMER GREEN	PI	
43 PENDING	SUPER SULFATE	PI	
44 R1,539,907	SUPREME GREEN w/ stylized letters	PI	
45 RB42,707	X TEE GREEN	PI	
46 R1,775,062	TEXAS TURF	PI	
47 NO APPLICATION	THE STRIPE DESIGN	PI	
48 RB41,488	TOURNAMENT	PI	
49 R1,426,130	TULIP DESIGN on Bulb Booster Pkg	PI	
50 R525,504	VERTAGREEN	PI	
51 R2,079,948	WHITE HOUSE	PI	
*** All intent to Use Applications and Marks Licensed to Pursell have been removed.			
X = No known marketing plans to continue use of the mark			
Legend		PI =	Pursell Industries, Inc.
R = US Registration		PTI =	Pursell Technologies, Inc.
xx/xxx, xxx = US Application		RLC =	RLC Technologies, Inc.
CA = Canadian Application			
CR = Canadian Registration			
JA = Japanese Application			
JR = Japanese Registration			
AA = Australian Application			
RA = Australian Registration			

1752/0965

FEDERAL TRADEMARK LISTING

for PURSELL INDUSTRIES, INC.

UPDATE: >

Ownership License & Comments

Reg./Ser. No.

Trademark Name

ITU = Intent to Use Application

Ownership statements should always be used on packaging.