

RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

Docket No. 1-27021, 1-50744

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

<p>1. Name of conveying party(ies):</p> <p>OMS Investments, Inc.</p> <p><input type="checkbox"/> Individual(s)  <input type="checkbox"/> Association  <input type="checkbox"/> General Partnership  <input type="checkbox"/> Limited Partnership  <input checked="" type="checkbox"/> Corporation - State: Delaware  <input type="checkbox"/> Limited Liability Company - State:</p> <p>Additional name(s) attached? No</p>	<p>2. Name and address of receiving party(ies)</p> <p>The Andersons Agriservices, Inc.  3515 N. Staley Road  Champaign, IL 61822</p> <p><input type="checkbox"/> Individual(s) citizenship:  <input type="checkbox"/> Association  <input type="checkbox"/> General Partnership  <input type="checkbox"/> Limited Partnership  <input checked="" type="checkbox"/> Corporation - State: Illinois  <input type="checkbox"/> Limited Liability Company - State:</p> <p>If assignee is not domiciled in the United States, a domestic representative designation is attached: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Additional name(s) and address(es) attached? No</p>
<p>3. Nature of Conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Merger  <input type="checkbox"/> Other (specify):</p> <p>Execution Date: June 1, 2005</p>	
<p>4. Application number(s) and/or registration number(s):</p> <p><input type="checkbox"/> The document relates to Trademark Application No.(s):</p> <p><input checked="" type="checkbox"/> The document relates to Registration No.(s):</p> <p>0917448 PROTURF</p> <p>Additional numbers attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Gregg W. Emch  MacMillan, Sobanski &amp; Todd, LLC  One Maritime Plaza, Fifth Floor  720 Water Street  Toledo, Ohio 43604</p>	<p>6. Total number of applications and registrations involved: 1</p> <p>7. Total Fee (37 CFR 3.14) \$40.00</p> <p>Please charge the \$40.00 recordal fees to MacMillan, Sobanski &amp; Todd, Deposit Account No. 13-0005.</p>
<p>8. Statement and signature.  <i>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.</i></p> <p><u>Gregg W. Emch</u> <u>January 21, 2009</u>  Name of Person Signing Signature Date</p> <p style="text-align: right;">Page 1 of 3</p>	

CH \$40.00 130005 0917448

NUNC PRO TUNC TRADEMARK ASSIGNMENT

WHEREAS, OMS Investments, Inc., a Delaware corporation, with an office located at 10250 Constellation Boulevard, Suite 2800, Los Angeles, CA 90067 has adopted and used in its business the trademark PROTURF, which is registered in the United States Patent and Trademark Office under Registration No. 0917448, dated August 3, 1971 for grass seeds, insecticides and fungicides; and

WHEREAS, The Andersons Agriservices, Inc., an Illinois corporation, with an office located at 3515 N. Staley Road, Champaign, IL 61822, is desirous of acquiring the PROTURF mark and U.S. Registration No. 0917448 for grass seeds, insecticides and fungicides;

WHEREAS, OMS Investments, Inc. and The Andersons Agriservices, Inc. (through its successor The Andersons, Inc.), discovering that U.S. Registration No. 0917448 for the mark PROTURF was intended to be assigned from OMS Investments, Inc. to The Andersons Agriservices, Inc. effective June 1, 2005 but was inadvertently omitted from the Schedule of Trademarks attached to an "ASSIGNMENT OF TRADEMARKS" dated June 1, 2005 between the parties, now wish to correct such omission.

NOW THEREFORE, for good and valuable consideration as set forth in a separate agreement between the parties entitled "U.S. PROTURF LICENSE AGREEMENT" dated May 31, 2000, the receipt of which is hereby acknowledged, OMS Investments, Inc. does hereby sell, assign and transfer unto The Andersons Agriservices, Inc. nunc pro tunc as of June 1, 2005, all right, title and interest in and to the PROTURF mark in the United States of America and Bermuda and the registration thereof, U.S. Registration No. 0917448, together with the goodwill of the business symbolized by the mark and with the right to recover and have damages and profits for past infringement, if any.

IN WITNESS WHEREOF, OMS Investments, Inc. has caused this Assignment to be executed by its duly authorized officer and made effective as of June 1, 2005.

OMS INVESTMENTS, INC.

By: [Signature]  
Name: Luis A. Rodriguez  
Title: Assistant Secretary

*NC see attached*

~~STATE OF CALIFORNIA     )  
  ) SS:  
COUNTY OF LOS ANGELES     )~~

~~On this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_, personally appeared \_\_\_\_\_, an officer of OMS Investments, Inc., the Assignor above named, who acknowledged that he/she executed the foregoing Trademark Assignment on behalf of OMS Investments, Inc. pursuant to authority duly received.~~

### ACKNOWLEDGMENT


State of California  
County of Los Angeles

On January 13, 2009 before me, Nemesio S. Evangelista, Notary Public  
(insert name and title of the officer)

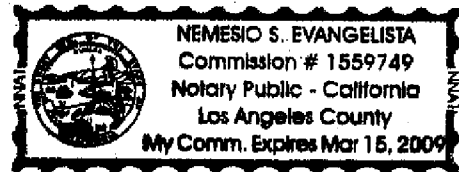
personally appeared Luis A. Rodriguez  
who proved to me on the basis of satisfactory evidence to be the pers on(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the pers on(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Cali fornia that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature 

(Seal)



TRADEMARK

REEL: 003922 FRAME: 0355

## LAW OFFICES OF

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FACSIMILE TRANSMISSION

Date: January 21, 2009

To: Assignment Services Division Fax No. 1-571-273-0140  
 Firm: United States Patent and Trademark Office  
 From: Patricia Zimmerman-Ervin

Total pages including cover page: 4

Re: Recordation Assignment  
 From OMS Investments, Inc. to The Andersons Agriservices, Inc.  
 U.S. Trademark Registration No. 0917448 PROTURF  
 Our Files 1-27021 and 1-50744

## Confidentiality Notice

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