

FORM PTO-1584
01-10-96:CMG

Atty Ref/Docket No.: 600

To the Honorable Commissioner of Patents and Trademarks

05-22-1998



100719316

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

copy thereof.

1. Name of conveying party(ies):

Burle G. Gengenbach, David A. Somers, Donald L. Wyse,
Margaret A. Egli and Sheila M. Lutz

2. Name and address of receiving party(ies):

Name: Regents of the University of Minnesota

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

3. Nature of conveyance:

[X] Assignment [] Merger
[] Security Agreement [] Change of Name
[] Other

Street Address:

City: Minneapolis State: MN ZIP:

Additional name(s) & address(es) attached? [] Yes [X] No

Execution Date: December 4, 1997 and December 12, 1997

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

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

B. Patent No.(s)

Serial No. 08/930,285, filed October 3, 1997

Additional numbers attached? [] Yes [X] No

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

Name: Janet E. Embretson

Address: Schwegman, Lundberg, Woessner & Kluth, P.A.
P.O. Box 2938
Minneapolis, MN 55402

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00

[] Enclosed
[X] Authorized to be charged to deposit account

8. Please charge any additional fees or credit any overpayments to our
Deposit account number: 19-0743

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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.

Janet E. Embretson/Reg. No. 39,665
Name of Person Signing

Signature

Apr 17, 1998
Date

Total number of pages including cover sheet: 6

OMB No. 0651-0011 (exp. 4/94)

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Commissioner of Patents and Trademarks
Box Assignments
Washington, D.C. 20231

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PATENT
REEL: 9177 FRAME: 0706

ASSIGNMENT

WHEREAS, WE, Burle G. Gengenbach, residing at 1994 Beacon Street, St. Paul, MN 55113, and David A. Somers, residing at 924 W. County Road B2, Roseville, MN 55113, and Donald L. Wyse, residing at 26370 Golden Ct, Wyoming, MN 55092, and Margaret A. Egli, residing at 705 Heinel Circle, Roseville, MN 55113, and Sheila M. Lutz, residing at 271 Summit Avenue, Apt. 1, St. Paul, MN 55102-2161, jointly made with John W. Gronwald certain new and useful inventions and improvements for which a Letters Patent of the United States entitled TRANSGENIC PLANTS EXPRESSING ACETYL CoA CARBOXYLASE GENE, U.S. serial number 08/930,285, was filed on October 3, 1997;

AND WHEREAS, Regents of the University of Minnesota, a corporation organized and existing under and by virtue of the laws of the State of Minnesota, and having an office and place of business at Morrill Hall, 100 Church Street S.E., Minneapolis, MN 55455, (hereinafter "Assignee") is desirous of acquiring the right, title and interest in and to said inventions, improvements and application and in and to the Letters Patent to be obtained therefor;

NOW, THEREFORE, to all whom it may concern, be it known that for good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, we, Burle G. Gengenbach, David A. Somers, Donald L. Wyse, Margaret A. Egli and Sheila M. Lutz, have sold, assigned, and transferred, and by these presents do sell, assign and transfer unto said Assignee, its successors or assigns, the entire right, title and interest for all countries in and to all inventions and improvements disclosed in the aforesaid application, and in and to the said application, all divisions, continuations, or renewals thereof, all Letters Patent which may be granted therefrom, and all reissues or extensions of such patents, and in and to any and all applications which have been or shall be filed in any foreign countries for Letters Patent on the said inventions and improvements, including an assignment of all rights under the provisions of the International Convention, and all Letters Patent of foreign countries which may be granted therefrom; and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all United States Letters Patent for the aforesaid inventions and improvements to the said Assignee as the assignee of the entire right, title and interest in and to the same, for the use of the said Assignee, its successors and assigns.

PATENT

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AND, for the consideration aforesaid, we do hereby agree that we and our executors and legal representatives will make, execute and deliver any and all other instruments in writing including any and all further application papers, affidavits, assignments and other documents, and will communicate to said Assignee, its successors and representatives all facts known to us relating to said improvements and the history thereof and will testify in all legal proceedings and generally do all things which may be necessary or desirable more effectually to secure to and vest in said Assignee, its successors or assigns the entire right, title and interest in and to the said improvements, inventions, applications, Letters Patent, rights, titles, benefits, privileges and advantages hereby sold, assigned and conveyed, or intended so to be.

AND, furthermore we covenant and agree with said Assignee, its successors and assigns, that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by me/us and that full right to convey the same as herein expressed is possessed by us.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 4th day of Dec., 1997.

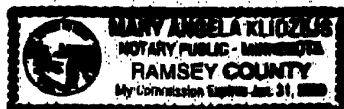
Burle G. Gengenbach
 Burle G. Gengenbach

STATE OF Minnesota)
)ss.
 COUNTY OF Ramsey)

On this 4th day of December, 1997 before me personally appeared Burle G. Gengenbach to me known and known to me to be the person described in and who executed the foregoing instrument, and he/she duly acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

[SEAL]

Mary Angela Kliczkas
 Notary Public



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IN TESTIMONY WHEREOF, I have hereunto set my hand this 4 day of December 1997.

David A. Somers
David A. Somers

STATE OF Minnesota)
)ss.
COUNTY OF Ramsey)

On this 4th day of December, 1997 before me personally appeared David A. Somers to me known and known to me to be the person described in and who executed the foregoing instrument, and he/she duly acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

[SEAL]

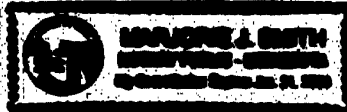


Mary Ann A. Klug
Notary Public

IN TESTIMONY WHEREOF, I have hereunto set my hand this 12 day of December 1997.

Donald L. Wyse
Donald L. Wyse

STATE OF Minnesota)
)ss.
COUNTY OF Washington)



On this 12 day of December, 1997 before me personally appeared Donald L. Wyse to me known and known to me to be the person described in and who executed the foregoing instrument, and he/she duly acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

[SEAL]

Margaret J. Smith
Notary Public

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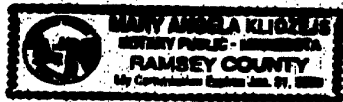
IN TESTIMONY WHEREOF, I have hereunto set my hand this 4th day of Dec, 1997.

Margaret A. Egli
Margaret A. Egli

STATE OF Minnesota)
)ss.
COUNTY OF Ramsey)

On this 4th day of December, 1997 before me personally appeared Margaret A. Egli to
me known and known to me to be the person described in and who executed the foregoing instrument,
and he/she duly acknowledged to me that he/she executed the same for the uses and purposes therein
set forth.

[SEAL]



Mary Angela Klitoris
Notary Public

PATENT

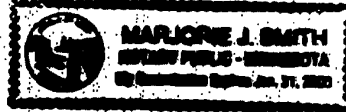
REEL: 9177 FRAME: 0710

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IN TESTIMONY WHEREOF, I have hereunto set my hand this 12 day of Dec, 1997.

Sheila M. Lutz
Sheila M. Lutz

STATE OF Minnesota)
)ss.
COUNTY OF Washington)



On this 12 day of December, 1997, before me personally appeared Sheila M. Lutz to me known and known to me to be the person described in and who executed the foregoing instrument, and he/she duly acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

[SEAL]

Marjorie J. Smith
Notary Public