Con-arable to FORM PTO-1595 M RECOR	U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office
9-23-98 09-	25-1998
To the Honorable Commissioner of Patents a	original documents or copy thereof:
1. Name of conveying party(ies): (1) Brad Kane C Douglas Heath, (3) Jon Craig Watterson and (4) Steven Mark	Name: Seminis Vegetable Seeds, Inc.
Barmeau	Street Address: P.O. Box 4206, 1905 Lirio Street
Additional name(s) of conveying party(ies) attached? Yes X No	
3. Nature of conveyance:	City: Saticoy State: NY ZIP: 93007-
Assignment Merger	4206
Security Agreement . Change of Name Correction of assignee name X Other <u>at Reel: 8175, Frame: 0180</u>	Additional name(s) & address(es) attached? YesYo
Execution Date: (1) 12/17/97; (2) 12/18/97; (3) 5/5/98;	
(4) 12/23/97	
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) 08/621,352	B. Patent No.(s)
Additional numbers attache	od? Yes X No
Name and address of party to whom correspondence concerning document should be mailed:	.6. Total number of applications and patents involved:1_
Name: Rockey, Milnamow & Katz, Ltd.	7. Total fee (37 CFR 3.41): \$ 40.00
Address: Two Prudential Plaza - Suite 4700	X Enclosed
180 North Stetson Avenue Chicago, Illinois 60601	Authorized to be charged to Deposit Account X The Commissioner is hereby authorized to charge any
	X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 04-1644.
	8. Deposit Account number:
	04-1644
	(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 original document. Lisa V. Mueller, Reg. No. 38,978 Name of Person Signing Total number of pages including cover significant statements.	ture September 21, 1998
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Public burden reporting for this sample cover sheet is estimated to including time for reviewing the document and gathering the data Send comments regarding this burden estimate to the United State PK2-1000C, Washington, D.C. 20231, and to the Office of Managuashington, D.C. 20503.	needed, and completing and reviewing the sample cover sheet. s Patent and Trademark Office, Office of Information Systems,

PATENT ASSIGNMENT

THIS <u>NUNC PRO TUNC</u> ASSIGNMENT is made May 8, 1996, by Brad Kane Gabor, Douglas Heath, Jon Craig Watterson and Steven Mark Barineau (collectively referred to as the "undersigned") to Seminis Vegetable Seeds, Inc., a California corporation.

WHEREAS, the undersigned had previously executed an assignment for the application Lycopersicon Pimpinellifolium As A Source of Resistance to the Plant Pathogen Phytophthora Infestans, having U.S. Serial Number 08/621,352 and filed on March 25, 1996 to Seminis Vegetables.

WHEREAS, the previous assignment of the aforementioned application to Seminis Vegetables is recorded at reel 8175 and frame 0180 (a copy of which is herewith attached).

WHEREAS, the previous assignment to Seminis Vegetables was incorrect because Seminis Vegetables was not the correct name of the assignee. The correct name of the assignee is Seminis Vegetable Seeds, Inc.

WHEREAS, the undersigned are desirous of assigning, <u>nunc pro tunc</u>, their entire right and title in the aforementioned patent application to Seminis Vegetable Seeds, Inc. and Seminis Vegetable Seeds, Inc. is desirous of acquiring the same.

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

Undersigned hereby confirm their previously executed and recorded assignment and transfer and assign <u>nunc pro tunc</u> May 8, 1996, their entire right, title and interest in the invention or improvements in the aforementioned patent application and in the application for Letters Patent of the United States therefor, and in any reissue or extension of any Letters Patent that may be granted upon said application to Seminis Vegetable Seeds, Inc., and its heirs, successors, legal representatives and assigns (hereinafter referred to as the "Assignee"). The Commissioner of Patents and Trademarks is hereby authorized and requested by the undersigned to issue said letters Patent to said Assignee.

The undersigned further agree upon the request of said Assignee, to execute any necessary and proper oaths or affidavits relating to said application or required for the filing or prosecution of any divisional or continuing application thereof or for the filing or prosecution of any application for the reissue or extension of any Letters Patent that may be granted on said invention or improvements that said Assignee may deem necessary or expedient, and for the said considerations, it is further agreed by the undersigned, upon the request of said Assignee, in the event of said application or any division thereof, or Letters Patent issued thereon, or any reissue or application for the reissue thereof, becoming involved in Interference, to cooperate to the best of the ability of the undersigned with said Assignee in the matters of preparing and executing the preliminary statement and giving and producing evidence in support thereof, and further to perform, upon such request, any and all affirmative acts to obtain said letters Patent and vest all

rights therein hereby conveyed in the said Assignee as fully and entirely as the same would have been held and enjoyed by the undersigned if this assignment had not been made. And for the said considerations, the entire right, title and interest in said invention or improvements, including all priority rights, and the right to claim priority rights and privileges and benefits thereof, including those under the International convention, and all other Conventions, and the right to file applications for patent in said Assignee's own name for said invention or improvements in each and every country of the world are hereby assigned and granted by the undersigned to said Assignee. It is further agreed by the undersigned, upon the request of said Assignee, to execute any and all documents that shall be required of the undersigned to be executed in connection with any and all applications for foreign Letters Patent therefor, including the prosecution thereof, and to execute any and all documents necessary to invest title in said foreign applications and patents in said Assignee. The undersigned also further agree, for the said considerations, upon the request of said Assignee, to promptly perform all lawful acts deemed by said Assignee to be necessary or advisable in connection with maintaining, enforcing, or transferring the resulting grants of said Letters Patent in the United States or foreign countries. It is agreed that such lawful acts include, but are not limited to, taking oaths, executing declarations, powers, assignments and other papers and giving testimony. The attorneys of records in the aforementioned application for patent are hereby authorized and requested by the undersigned to insert in this Assignment the date and serial number thereof in the places

IN WITNESS WHEREOF written above.	F, the undersigned have executed this document on the date first
	Brad Kane Gabor Dec. 17,1997
State of California)
County of Yolo) ss.)
On Dec. 17 1997, and for the State and County afore voluntarily subscribed and execute therein expressed.	Brad Kane Gabor appeared before me, a Notary Public in esaid, and acknowledged that Brad Kane Gabor freely and ed the foregoing Assignment for the purposes and uses
(SEAL)	Verginia me Sahan Notary Public
Му С	Commission Expires: 7-1-2000

Douglas Heath 12-18-97

State of California	.)
County of Yolo) ss. _)
and for the State and County afores	Douglas Heath appeared before me, a Notary Public in aid, and acknowledged that Douglas Heath freely and the foregoing Assignment for the purposes and uses
	Virginia McGahan Notary Public
(SEAL)	Notary Public
My Co	ommission Expires: 7-1-2000
State of California	Jon Craig Watterson
State of <u>California</u> County of <u>Yalo</u>) ss.)
On May 5, 1998, J Public in and for the State and Coun	Jon Craig Watterson appeared before me, a Notary nty aforesaid, and acknowledged that Jon Craig Watterson and executed the foregoing Assignment for the purposes and
(SEAL)	Vincinia Mc Gahan Notary Public
My C	ommission Expires: 7-1-2000

AMAL Barineau

Steven Mark Barineau

State of FLORIDA)		
County of Hendry)s	S.	
On December 23, 1997, Stev	en Mark Barineau	appeared before me, a Notary
Public in and for the State and County		
Barineau freely and voluntarily subscr	ibed and executed t	he foregoing Assignment for the
purposes and uses therein expressed.		
	Jusie	a. Juleano
(SEAL)	Notary Public	SUSIE A. JULIANO
My Comr	nission Expires:	Notary Public, State of Florida My comm. expires Oct. 8, 1998 No. CC410990 Bonded thru Ashton Agency, Inc.

State of California	
County of Yolo	
	· Marailla Ma Carla
On Dec. 19 1 Defore me	e, Virginia Mc Gahan Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared Douglas	Name(s) of Signer(s)
VIRGINIA MC GAHAN Commission # 1104226 Notary Public — California Yalo County My Comm. Expires Jul 1, 2000	ne on the basis of satisfactory evidence to be the person(s) whose name(c) is/are subscribed to the within instrument and acknowledged to me that he/she/fney executed the same in his/her/their authorized capacity(lee), 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.
	Verginia Medahan Signature of Notary Public
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Title or Type of Document: Assignment Document Date: (12-18-97) Signer(s) Other Than Named Above: See Capacity(ies) Claimed by Signer(s) Signer's Name: Douglas W. Heath Individual Corporate Officer	Number of Pages: 14 Signer's Name: Individual Corporate Officer
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personally appeared	ore me, Virginia Mc Gahan, Notary Public, Name and Title of Officer (e.g., "Jane boe, Notary Publid) Traig Watterson Name(s) of Signer(s)
VRONA MC GAHAN Commission # 1 10/226 Notary Public — California Yalo County	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.
My Comm. Expires Jul 1, 2000	WITNESS my hand and official seal.
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	Derginia The Dahan Signature of Notary Public
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Attorney-in-Fact	☐ Attorney-in-Fact
Trustee	Trustee
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personally appeared	Name(s) of Signer(s)
VIRGINIA MC GAHAN Commission # 1104226 Notary Public — Colliomia Yolo County	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 be his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(c) acted executed the instrument.
My Comm. Biplies Jul 1, 2000	WITNESS my hand and official seal.
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Title or Type of Document: Assign Document Date: Np C12-17- Signer(s) Other Than Named Above: Capacity(ies) Claimed by Signer(s) Signer's Name: Brad Gabor Individual Corporate Officer Title(s): Partner — Limited General Attorney-in-Fact Trustee Guardian or Conservator Of Signer Than Named Above: Right Than Named Above:	Number of Pages: 13 See document Signer's Name: Individual Corporate Officer Title(s): Partner— Limited General Attorney-in-Fact Trustee Guardian or Conservator Off Signer Top of thumb here

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and Steven Mark Barmeau	intornar readioss.
Additional name(s) of conveying party(ies) attached? Yes	s <u>X</u> No
3. Nature of conveyance:	Street Address: P.O. Box 4206
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Execution Date: April 8, 1996; May 2, 1996; A	pril 23, 1996; Additional name(s) & address(es) attached? Yes X No
and May 8, 1996	
4. Application number(s) or patent number(s):	
	a new application, the execution date of the application is:
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5. Name and address of party to whom correspondence concerning document should be mailed:	ondence 6. Total number of applications and patents involved: 1
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Chicago, Illinois 60601	X The Commissioner is hereby authorized to charge
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9. Statement and signature.	
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original document.	
Lisa V. Mueller Name of Person Signing	Signature October 10, 1996 Date
	of pages including cover sheet, attachments, and document: 7
OMB No. 0651-0011 (exp. 4/94)	
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	PATENT

REEL: 9475 FRAME: 0128

Serial No.: 08/621,352 Filed: March 25, 1996

ASSIGNMENT

WHEREAS, Brad Kane Gabor, a citizen of Canada, residing at 665 Knollwood Drive, Woodland, CA 95695; Douglas Heath, a citizen of the United States, residing at 5503 Cabrillo Way, Rocklin, CA 95765; Jon Craig Watterson, a citizen of the United States, residing at Chemin du Vidourle, 30250 Junas, France; and Mark Steven Barineau, a citizen of the United States, residing at 6765 Idlewilde Street, Fort Myers, Florida 33912, hereinafter referred to as ASSIGNORS, have invented and own a certain invention entitled:

LYCOPERSICON PIMPINELLIFOLIUM AS A SOURCE OF RESISTANCE TO THE PLANT PATHOGEN PHYTOPHTHORA INFESTANS.

for which application for Letters Patent of the United States has been filed on even date; and

WHEREAS, SEMINIS VEGETABLES a corporation of the State of California, having a principal place of business at P.O. Box 4206, 1905 Lirio Street, Saticoy, California 93007-4206 hereinafter referred to as ASSIGNEE, is desirous of acquiring the entire interest in, to and under said invention and the United States Letters Patent to be obtained therefor:

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:

Be it known that in consideration of the payment by ASSIGNEE TO ASSIGNORS of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration, ASSIGNORS hereby sells, assigns and transfers to ASSIGNEE the full and exclusive right, title and interest to said invention and all Letters Patent of the United States to be obtained therefor on said application or any continuation, division, renewal, substitute or reissue thereof for the full term or terms for which the same may be granted.

ASSIGNORS also assigns all of its right, title and interest in and to said invention in all foreign countries, and all applications for Letters Patent which may evolve therefrom, including the right to claim International Convention priority.

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

ASSIGNORS 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 as may be known and accessible to ASSIGNORS and ASSIGNORS 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 and enforce said application, said invention and said Letters Patent which may be necessary or desirable to carry out the purposes hereof. Date 4.8. 96 State of California County of VUID On April 8, 1996 before me Anni Makerty, Notary Public, personally appeared Brad Kane Gabor, personally known to me to be the person whose name is subscribed to within the instrument, acknowledged that he executed the instrument. Witness my hand and official seal. State of California County of your On May 2, 1996 before me Barbara Brown Notary Public, personally appeared Douglas Heath, personally known to me to be the person whose name is subscribed to within the instrument, acknowledged that he executed the instrument. Witness my hand and official seal. Will titleched

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Serial No.: 08/621,352 File	ed: March 25, 1996,
Date April 23, 19% Jon Crafg Wa	Chaig Wellism
State of California County of Yolo	
On <u>April 23</u> , 1996 before me <u>Barbara Brow</u> appeared Jon Craig Watterson, personally known to me to subscribed to within the instrument, acknowledged that he	be the person whose name is
Barbara Brown & Commissi Notary Pub Yolo	A J. BROWN on # 1091389 itic — Callfornia County pires Mar 24, 2000
Date May 8, 1556 Mark Steven 1 Steven Mark State of California	Barineau AMB
County of Lee	
On May 8 1996 before me Frue M stank, appeared Mark Steven Barineau, personally known to me to subscribed to within the instrument, acknowledged that	Notary Public, personally to be the person whose name he executed the instrument.
MY COMM	McLaren Stanley, Sr ISSION # CC547689 EXPIRES May 2, 2000 BRUTROY FAIN INSURANCE, INC.

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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

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personally appeared BRad Knne	Name and Title of Officer (e.g., "Jane Doe (Notary Public")
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Notary Public — California YOLO COUNTY My Comm. Expires AUG 3, 1998 WI	TNESS my hand and official seal. Signature of Notary Public
Though the information below is not required by law, it may pro	ve valuable to persons relying on the document and could prevent ent of this form to another document.
Description of Attached Document	
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	96) Number of Pages: 3
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Signer's Name: Brad Knne 6 ppon	
	Signer's Name:
Individual Corporate Officer	☐ Individual ☐ Corporate Officer
Title(s): General General Attorney-in-Fact Trustee RIGHT THUMBPRINT	Title(s): Partner — Limited General Attorney-in-Fact Trustee
Guardian or Conservator Other: Top of thumb here	☐ Guardian or Conservator ☐ Other: ☐ Other: ☐ Top of thumb here
Signer Is Representing:	Signer Is Representing:

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on May 2, 1996 before	ore me. Barbara Brown Actar Tu
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personally known to me - OR - Xproved	d to me on the basis of satisfactory evidence to be the person whose names is is/axe subscribed to the within instrumen
	and acknowledged to me that he/\$\times times executed the
· ·	same in his/ber/their authorized capacity and that by his/her/their signature on the instrument the person a
BARBARA J. BROWN Commission # 1091389	or the entity upon behalf of which the person acted
Notary Public — California Yolo County	executed the instrument.
My Comm. Expires Mar 24, 2000	WITNESS my hand and official seal.
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fraudulent removal and	freattachment of this form to another document.
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State of California	
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	me, Barbara Brown, Notare Vi
personally appeared Son Crau	Name and Title_ol Officer (e.g., "Jane Doe, Notary Public")
	Name(s) of Signer(s)
personally known to me – <b>OR</b> – <b>C</b> proved to	me on the basis of satisfactory evidence to be the person(s whose name(s) is/are subscribed to the within instrumen
	and acknowledged to me that he/ske/they executed the
BARBARA J. BROWN Commission # 1091389	same in his/ber/their authorized capacity (es), and that by his/ber/their signature (s) on the instrument the person (s)
Notary Public — California X Yolo County	or the entity upon behalf of which the person acted
My Comm. Expires Mar 24, 2000	executed the instrument.
	WITNESS my hand and official seal.
	$C_{R_{-1}} \sim C_{R_{-1}}$
	Varbara F. Drown
	Signature of Notary Public
Though the information below is not required by law, it is	OPTIONAL  may prove valuable to persons relying on the document and could prevent
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Description of Attached Document  Title or Type of Document:  Document Date: 4-23-96  Signer(s) Other Than Named Above: Les  Capacity(ies) Claimed by Signer(s)  Signer's Name:  Individual Corporate Officer Title(s): Partner — Limited General Attorney-in-Fact Trustee	Signer's Name:  Individual  Corporate Officer  Title(s):  Partner — Limited General  Attorney-in-Fact  Trustee  Guardian or Conservator  Individual General  Altorney-in-Fact  Guardian or Conservator  Individual General  RIGHT THUMEPRINT  FRIGHT THUMEPRINT  OF SIGNER
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