

11-05-1998

Attorney Docket No.: 07148/085001



R SHEET

Assistant Commissioner for Patents

100869632

document.

1. Name of conveying party(ies):
DNA Plant Technology Corporation

Additional name(s) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies):
Cargill Incorporated
15407 McGinty Road West
Wayzata, MN 55391

3. Nature of conveyance:
☒ Assignment
☐ Merger
☐ Security Agreement
☐ Change of Name
☐ Other:

10-26-98

Additional names/addresses attached? ☐ Yes ☒ NoExecution Date: **July 2, 1998**

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

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

A. Patent Application No.(s):

08/329,603**08/888,998**

B. Patent No.(s):

Additional numbers attached? ☐ Yes ☒ No

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

Ronald C. Lundquist
Fish & Richardson P.C., P.A.
60 South Sixth Street, Suite 3300
Minneapolis, MN 55402

6. Total number of applications/patents involved: **2**

7. Total fee (37 CFR 3.41): **\$80**

☒ Enclosed☐ Authorized to charge deposit account

8. Deposit account number: **06-1050**

If the fee above is being charged to deposit account, a duplicate copy of this cover sheet is attached. Please apply any additional charges, or any credits, to our Deposit Account No. 06-1050.

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9. Statement and signature: *To the best of my knowledge and belief, the foregoing information is true and correct and the attached is the original document.*

Ronald C. Lundquist

Name of Person Signing

Signature

Date

Oct 22, 1998Total number of pages including cover sheet, attachments, and document: **5**

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80.00 DP

Date of Deposit **October 22 1998**

I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Melissa Dugan
Melissa Dugan
PATENT

REEL: 9552 FRAME: 0347

PATENT ASSIGNMENT

WHEREAS, DNA Plant Technology Corporation (hereinafter "DNAP"), a Delaware corporation having a place of business at 6701 San Pablo Avenue, Oakland, California 94608, is the owner of a new and useful invention relating to the area of fatty acid elongase genes of use in plants and entitled "FAE1 Genes and Their Uses" for which applications for Letters Patent of the United States and various foreign countries have been filed;

WHEREAS, CARGILL INCORPORATED (hereinafter "CARGILL"), a Delaware corporation having a place of business at 15407 McGinty Road West, Wayzata, Minnesota 55391, is desirous of acquiring the entire right, title, and interest in and to said inventions, and in and to any Letters Patent that may be granted therefore in the United States and in any foreign countries;

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

DNAP hereby assign, and transfers unto Cargill, the full and exclusive right to the invention identified above in the United States, its territorial possessions, and all foreign countries, and the entire right, title, and interest in and to any and all Letters Patent which may be granted therefore in the United States, its territorial possessions, and all foreign countries, and in and to any divisions, reissues, reexaminations, continuations, continuations-in-part, and extensions thereof, including, but not limited to the applications identified in Appendix A.

DNAP authorizes that the Patent and Trademark Officials in the United States and all foreign countries issue any and all Letters Patent, when granted, to Cargill, as the assignee of its entire right, title, and interest in and to the same, for the sole use and enjoyment of Cargill, its successors, and assigns.

Moreover, DNAP warrants unto Cargill, its successors, and assigns that it gives full and unencumbered title to the inventions and applications above described, that DNAP has not granted to anyone else any license to make, use, or sell said inventions, or perform any act covered by the items listed on Appendix A; that DNAP and its agents or attorneys have disclosed all material information known to DNAP or its agents or attorneys to the Patent and Trademark Offices, and that it has made all such information available to Cargill; and that DNAP will not execute any instrument or perform any act in conflict herewith.

FURTHERMORE, DNAP agrees that it will communicate to Cargill or its representatives any facts known to it respecting said inventions, and cause its employees to testify in any legal proceedings with Cargill covering out-of-pocket expenses of DNAP or its employees related thereto; sign all lawful papers; execute all division, continuation, continuation-in-part, substitution, renewal, reexamination and reissue applications; execute all necessary assignment papers to cause any and all of said Letters Patent to be issued to Cargill; make all rightful oaths; and generally do everything necessary or desirable to aid Cargill, its successors, and assigns to obtain and enforce proper protection for said inventions in the United States and all foreign countries.

IN TESTIMONY, WHEREOF, DNAP has caused this assignment deed to be executed in its name by its duly-authorized representative this 2nd day of July, 1998.

DNA PLANT TECHNOLOGY CORPORATION

By: 

Name:

John R. Bedbrook

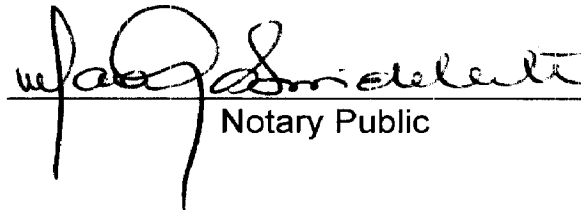
Title:

Co-President and
Co-Chief Executive Officer

STATE OF CALIFORNIA)
) SS.
 COUNTY OF ALAMEDA)



BE IT REMEMBERED that on this 2nd day of July, 1998, before me, a Notary Public, personally appeared John R. Seabrook, the President and Co. CEO of DNA Plant Technology Corporation, who executed the foregoing instrument in my presence, and I having first made known to him/her the contents thereof, he/she did acknowledge that he/she signed, sealed, and delivered the same as his/her voluntary act for the uses and purposed therein expressed on behalf of DNA Plant Technology Corporation.


 Notary Public

Appendix A

1. FAE1 Genes and Their Uses - docket number A0140

<u>Country</u>	<u>Application No.</u>	<u>Filing Date</u>
USA	08/329,603	10/26/94 (abandoned) ✓
USA	08/888,998	7/7/97 ✓
PCT	US95/13918	10/23/95 ✓
Australia	39699/95	10/23/95 ✓
Canada	2,203,754	10/23/95 ✓
Europe	95937657.5	10/23/95 ✓