

12-03-1998

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100911443

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

## 1. Name of conveying party(ies):

Jewel Payne  
Kenneth E. Narva  
Jenny M. Fu

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

## 3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Dates: April 3, 1996 and April 9, 1996

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

Name Mycogen Corporation

Internal Address: \_\_\_\_\_

Street Address: 5501 Oberlin DriveCity: San Diego State: CA ZIP: 92121Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 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) 09/184,223  
Docket No. MA-48DDCD1

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

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

Name: Jay M. Sanders

Internal Address: \_\_\_\_\_

Street Address: 2421 NW 41<sup>st</sup> Street, Suite A-1City: Gainesville State: FL ZIP: 32606

## 6. Total number of applications and patents involved:

1

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

- ☐ Enclosed  
☒ Authorized to be charged to deposit account

## 8. Deposit account number:

19-0065

(Attach duplicate copy of 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.*Jay M. Sanders

Name of Person Signing

Signature Date November 19, 1998

Total number of pages comprising cover sheet, attachments, and document:

7

12/03/1998 SBURNS 00000026 190065 09184223

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PATENT  
REEL: 9610 FRAME: 0859

## ASSIGNMENT

WHEREAS, I, the undersigned, residing at the indicated address given below have invented certain new and useful improvements in **Novel *Bacillus thuringiensis* Genes Encoding Nematode-Active Toxins**, for which an application for United States Letters Patent was

☐ signed by me as dated below.

☒ filed March 21, 1996, Serial No. 08/590,554.

WHEREAS, MYCOGEN CORPORATION, a corporation of the State of California, having a place of business at 5501 Oberlin Drive, San Diego, California 92121, is desirous of acquiring the entire right, title and interest in and to said invention and in and to any Letters Patent which may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in view of valuable consideration, receipt whereof is hereby acknowledged, I, the undersigned, have sold, assigned, and transferred, and by these presents do sell, assign, and transfer, unto said MYCOGEN CORPORATION, its successors and assigns, the full and exclusive right to the said invention in the United States and its territorial possessions and in all foreign countries and the entire right, title, and interest in and to any and all Letters Patent which may be granted therefor in the United States and its territorial possessions and in any and all foreign countries and in and to any and all divisions, reissues, continuations, and extensions thereof.

I hereby authorize and request the Patent Office Officials in the United States and in any and all foreign countries to issue any and all of said Letters Patent, when granted, to said MYCOGEN CORPORATION, as the assignee of the entire right, title and interest in and to the same, for the sole use and behoof of said MYCOGEN CORPORATION, its successors and assigns.

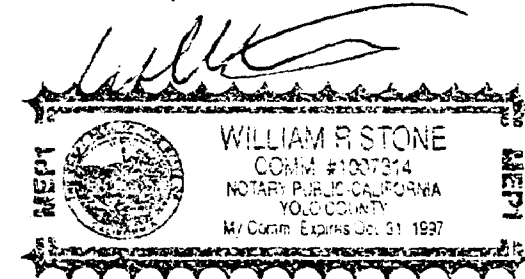
FURTHER, I agree that I will communicate to said MYCOGEN CORPORATION, or its representatives, any facts known to me respecting said invention; testify in any legal proceedings; sign all lawful papers; execute all divisional, continuation, substitution, renewal, and reissue applications; execute all necessary assignment papers to cause any and all of said Letters Patent to be issued to said MYCOGEN CORPORATION; make all rightful oaths; and generally do everything possible to aid the said MYCOGEN CORPORATION, its successors and assigns, to obtain and enforce proper protection for said invention in the United States and in any and all foreign countries.

Page one of 3 pages

IN TESTIMONY WHEREOF, I have hereunto set my hand this 3<sup>rd</sup> day  
of April, 1996.

Signed *Jewel Payne*

Jewel Payne  
Address: 2318 Elendil Lane  
Davis, California 95616



[ ATTACH NOTARY CERTIFICATE FOR EACH SIGNATURE ]

## ASSIGNMENT

WHEREAS, we, the undersigned, residing at the indicated addresses given below have invented certain new and useful improvements in **Novel *Bacillus thuringiensis* Genes Encoding Nematode-Active Toxins**, for which an application for United States Letters Patent was

☐ signed by me as dated below.

☒ filed March 21, 1996, Serial No. 08/590,554.

WHEREAS, MYCOGEN CORPORATION, a corporation of the State of California, having a place of business at 5501 Oberlin Drive, San Diego, California 92121, is desirous of acquiring the entire right, title and interest in and to said invention and in and to any Letters Patent which may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in view of valuable consideration, receipt whereof is hereby acknowledged, we, the undersigned, have sold, assigned, and transferred, and by these presents do sell, assign, and transfer, unto said MYCOGEN CORPORATION, its successors and assigns, the full and exclusive right to the said invention in the United States and its territorial possessions and in all foreign countries and the entire right, title, and interest in and to any and all Letters Patent which may be granted therefor in the United States and its territorial possessions and in any and all foreign countries and in and to any and all divisions, reissues, continuations, and extensions thereof.

We hereby authorize and request the Patent Office Officials in the United States and in any and all foreign countries to issue any and all of said Letters Patent, when granted, to said MYCOGEN CORPORATION, as the assignee of the entire right, title and interest in and to the same, for the sole use and behoof of said MYCOGEN CORPORATION, its successors and assigns.

FURTHER, we agree that we will communicate to said MYCOGEN CORPORATION, or its representatives, any facts known to us respecting said invention; testify in any legal proceedings; sign all lawful papers; execute all divisional, continuation, substitution, renewal, and reissue applications; execute all necessary assignment papers to cause any and all of said Letters Patent to be issued to said MYCOGEN CORPORATION; make all rightful oaths; and generally do everything possible to aid the said MYCOGEN CORPORATION, its successors and assigns, to obtain and enforce proper protection for said invention in the United States and in any and all foreign countries.

Page one of 3 pages

IN TESTIMONY WHEREOF, I have hereunto set my hand this 9<sup>th</sup> day  
of April, 1996.

Signed Kenneth E. Narva  
Kenneth E. Narva  
Address: 12123 Caminito Mira Del Mar  
San Diego, California 92130

IN TESTIMONY WHEREOF, I have hereunto set my hand this 9<sup>th</sup> day  
of April, 1996.

Signed Jenny Fu  
Jenny Fu  
Address: ~~4533 Da Vinci Street~~ 12624 Carmel Country Rd. #155  
San Diego, California 92130

[ ATTACH NOTARY CERTIFICATE FOR EACH SIGNATURE ]

Page two of 3 pages

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5907

State of California

County of San Diego

On 9 Apr 96 before me, Kaye Barlow, Notary Public

DATE

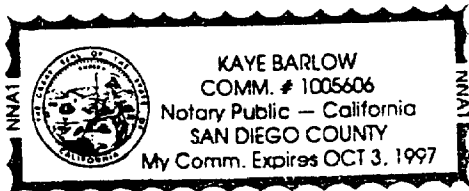
NAME, TITLE OF OFFICER (E.G., "JANE DOE, NOTARY PUBLIC")

personally appeared Kenneth E. Narva and Jenny M. Fu

NAME(S) OF SIGNER(S)

☒ personally known to me - OR - ☐ proved 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 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.

Kaye Barlow

SIGNATURE OF NOTARY

## OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

### CAPACITY CLAIMED BY SIGNER

- ☒ INDIVIDUAL  
☐ CORPORATE OFFICER

TITLE(S)

- ☐ PARTNER(S) ☐ LIMITED  
☐ GENERAL  
☐ ATTORNEY-IN-FACT  
☐ TRUSTEE(S)  
☐ GUARDIAN/CONSERVATOR  
☐ OTHER: \_\_\_\_\_

SIGNER IS REPRESENTING:  
NAME OF PERSON(S) OR ENTITY(IES)

### DESCRIPTION OF ATTACHED DOCUMENT

US Patent Assignment  
MA48DD2.C2

TITLE OR TYPE OF DOCUMENT

Two

NUMBER OF PAGES

9 April 96

DATE OF DOCUMENT

none

SIGNER(S) OTHER THAN NAMED ABOVE