

05-25-1999

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

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

Phytogen

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

Name J. G. Boswell Company

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

Street Address: 101 West Walnut StreetCity: Pasadena State: CA ZIP: 91103Additional name(s) & address(es) attached? ☐ Yes ☒ NoAdditional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

☐ Assignment☐ Merger☐ Security Agreement☐ Change of Name☒ Other Correction of Original RecordationExecution Date: 6/28/96Reel 8579/0743

## 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)

See Schedule A of Assignment

B. Patent No.(s)

See Schedule A of Assignment

(Misc. MPHY)

Additional numbers attached? ☐ Yes ☒ No

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

Name: Jeff LloydInternal Address: Saliwanchik Lloyd & SaliwanchikStreet Address: 2421 N. W. 41st StreetRoom A-1City: Gainesville State: FL ZIP: 32606

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

19

7. Total fee (37 CFR 3.41) ..... \$ 760.00 E☐ Enclosed☒ Authorized to be charged to deposit account  
19-0065

## 8. Deposit account number:

19-0065

## 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.

Jeff Lloyd, Reg. No. 35,589

Name of Person Signing

Signature

Date

5 January 1999

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

6

01/06/1999 JSHBAZZ 00000006 190065 4536475

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06/28/96  
11:09:40P114 PATENT LIST  
Phytogen  
SCHEDULE A - USA

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| CPE NO./STATUS                             | TITLE/APP. NO.   | PATENT NO.                            | ATTY |
|--|--|---------------------------------------|------|
| P114 14047 USA                             | PLANT VECTOR   |                                       |      |
|  | Filed: 10/06/82<br>App.#: 432842   | Issued: 08/20/85<br>Patent #: 4536475 | JPG  |
| P114 15008 USA                             | DEVELOPMENT OF PLANT ROOTS   |                                       |      |
| ISSUED                                     | Filed: 02/28/83<br>App.#: 470392   | Issued: 05/13/86<br>Patent #: 4588693 | JPG  |
| P114 17182 USA                             | REGENERATION AND TRANSFORMATION OF COTTON  |                                       |      |
| PENDING/ABANDONED<br>03/29/91              | Filed: 11/18/87<br>App.#: 122200   | Issued:<br>Patent #:                  | JPG  |
| P114 17590 USA                             | REGENERATION AND TRANSFORMATION OF COTTON  |                                       |      |
| ABANDONED<br>03/29/91                      | Filed: 11/18/87<br>App.#: 122200   | Issued:<br>Patent #:                  | JPG  |
| P114 22572 USA                             | TRANSFORMATION OF SEED   |                                       |      |
| PENDING                                    | Filed: 10/23/90<br>App.#: 07/602375  | Issued:<br>Patent #:                  | JPG  |
| P114 23215 USA                             | REGENERATION AND TRANSFORMATION OF COTTON  |                                       |      |
| ISSUED                                     | Filed: 03/29/91<br>App.#: 07/680048  | Issued: 09/14/93<br>Patent #: 5244802 | JPG  |
| P114 25602 USA<br>ALLOWED and<br>SUSPENDED | TRANSFORMATION OF COTTON PLANTS  |                                       |      |
|  | Filed: 09/14/93<br>App.#: 08/122090  | Issued:<br>Patent #:                  | JPG  |
| P114 25605 USA<br>ALLOWED and<br>SUSPENDED | VECTOR FOR TRANSFORMATION OF COTTON PLANTS   |                                       |      |
|  | Filed: 09/14/93<br>App.#: 08/122352  | Issued:<br>Patent #:                  | JPG  |
| P114 25606 USA<br>ALLOWED and<br>SUSPENDED | COTTON PLANTS CONTAINING CHIMERIC GENES  |                                       |      |
|  | Filed: 09/14/93<br>App.#: 08/122322  | Issued:<br>Patent #:                  | JPG  |
| P114 25992 USA                             | PROMOTERS DERIVED FROM THE MAIZE PHOSPHOENOLPYRUVATE<br>CARBOXYLASE GENE INVOLVED IN C4 PHOTOSYNTHESIS |                                       |      |
| PENDING                                    | Filed: 05/27/94<br>App.#: 08/250848  | Issued:<br>Patent #:                  | JPG  |
| P114 26686 USA                             | INSECTICIDAL COTTON PLANT CELLS  |                                       |      |
| PENDING                                    | Filed: 03/28/94<br>App.#: 08/218697  | Issued:<br>Patent #:                  | JPG  |
| P114 27381 USA                             | TRANSFORMED COTTON PLANTS  |                                       |      |
| PENDING                                    | Filed: 11/09/94<br>App.#: 08/336555  | Issued:<br>Patent #:                  | JPG  |
| P114 27917 USA                             | METHOD FOR PRODUCING SOMOCLONAL VARIANT COTTON PLANTS  |                                       |      |
| PENDING                                    | Filed: 05/08/95<br>App.#: 08/436080  | Issued:<br>Patent #:                  | JPG  |

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Phytogen  
SCHEDULE A - USA

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| CPR NO./STATUS | TITLE/APP. NO.  | PATENT NO.           | ATTY |
|----------------|---|----------------------|------|
| P114 27924 USA | COTTON SOMOCLONAL VARIANTS                            |                      |      |
| PENDING        | Filed: 05/09/95<br>App.#: 08/438192                   | Issued:<br>Patent #: | JPG  |
| P114 28016 USA | REGENERATION OF COTTON PLANT IN SUSPENSION CULTURE    |                      |      |
| PENDING        | Filed: 06/06/95<br>App.#: 08/476707                   | Issued:<br>Patent #: | JPG  |
| P114 28017 USA | REGENERATION OF COTTON PLANT IN SUSPENSION CULTURE    |                      |      |
| PENDING        | Filed: 06/07/95<br>App.#: 08/486380                   | Issued:<br>Patent #: | JPG  |
| P114 28024 USA | TRANSFORMATION OF COTTON PLANTS                       |                      |      |
| PENDING        | Filed: 06/07/95<br>App.#: 08/480186                   | Issued:<br>Patent #: | JPG  |
| P114 28033 USA | TRANSFORMED COTTON PLANTS                             |                      |      |
| PENDING        | Filed: 06/07/95<br>App.#: 08/487495                   | Issued:<br>Patent #: | JPG  |
| P114 28047 USA | METHOD FOR PRODUCING SOMACLONAL VARIANT COTTON PLANTS |                      |      |
| PENDING        | Filed: 06/07/95<br>App.#: 08/475971                   | Issued:<br>Patent #: | JPG  |

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Joint  
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## ASSIGNMENT

WHEREAS, PHYTOGEN, a California corporation having a place of business at 850 Plymouth Avenue, Corcoran, California 93212-078, has acquired by mense assignments or conveyances title to certain United States patents and patent applications listed in the attached Schedule A and certain corresponding patents and patent application in countries foreign to the United States listed in the attached Schedule B, collectively known herein as IMPROVEMENTS;

AND WHEREAS the J.G. BOSWELL COMPANY, a California corporation, having a place of business at 101 West Walnut Street, Pasadena, California 91103 (hereafter, together with any successors, legal representatives or assigns thereof, called "ASSIGNEE") wants to acquire the entire right, title and interest in and to said IMPROVEMENTS;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, PHYTOGEN has sold, assigned, transferred and set over, and does hereby sell, assign, transfer and set over to ASSIGNEE the entire right, title and interest in and to said IMPROVEMENTS, and all divisions and continuations thereof, and all United States Letters Patents which may be granted on said patent applications and all reissues, reexaminations and extensions thereof, and all priority rights under all available International Agreements, Treaties and Conventions for the protection of intellectual property in its various forms in every participating country, and all applications for patents (including related rights such as utility-model registrations, inventor's certificates, and the like) heretofore or hereafter filed for said IMPROVEMENTS in any country foreign to the United States, and all patents (including all continuations, divisions, extensions, renewals, substitutes, and reissues thereof) granted for said IMPROVEMENTS in any country foreign to the United States; and PHYTOGEN hereby authorize and request the United States Commissioner of Patents and Trademarks, and any officials of foreign countries whose duty it is to issue patents on applications as aforesaid, to issue all patents for said IMPROVEMENTS to ASSIGNEE in accordance with the terms of this Assignment;

AND PHYTOGEN HEREBY covenant that PHYTOGEN has the full right to convey the entire interest herein assigned, and that PHYTOGEN has not executed, and will not execute, any agreement in conflict herewith;

AND THE UNDERSIGNED HEREBY further covenants and agrees to communicate to ASSIGNEE any facts known to the undersigned respecting said IMPROVEMENTS, and to give or cause to be given testimony in any legal proceeding, sign or cause to be signed all lawful papers, execute or cause to be executed, if required, all divisional, continuation, substitute and reissue applications, make or cause to be made all rightful oaths and generally do everything possible to aid ASSIGNEE to obtain and enforce proper patent protection for said IMPROVEMENTS in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand this 28<sup>th</sup> day of June, 1996.

PHYTOGEN

  
David M. Anderson, PresidentSTATE OF  
COUNTY OF

On June 28, 1996, before me Carmelle M. Byrne Notary Public, personally appeared DAVID M. ANDERSON personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument

WITNESS my hand and official seal.

  
Signature of NotaryJPG/dm  
BLH 42088.1: 06/28/96 11:05am

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Phytogen  
SCHEDULE B - FOREIGN

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| CPE NO./STATUS   | TITLE/APP. NO.                            | PATENT NO.                            | ATTY |
|------------------|---|---------------------------------------|------|
| P114 17590 AUS   | REGENERATION AND TRANSFORMATION OF COTTON |                                       |      |
| ISSUED           | Filed: 11/16/88<br>App.#: 29266/89        | Issued: 04/14/93<br>Patent #: 632038  | JPG  |
| P114 17590 AUS 1 | REGENERATION AND TRANSFORMATION OF COTTON |                                       |      |
| PENDING          | Filed: 11/16/88<br>App.#: 35284/93        | Issued:<br>Patent #:                  | JPG  |
| P114 17590 BRA   | REGENERATION AND TRANSFORMATION OF COTTON |                                       |      |
| PUBLISHED        | Filed: 11/16/88<br>App.#: PI8806136       | Issued:<br>Patent #:                  | JPG  |
| P114 17590 CAN   | REGENERATION AND TRANSFORMATION OF COTTON |                                       |      |
| ISSUED           | Filed: 11/18/88<br>App.#: 583523          | Issued: 10/24/95<br>Patent #: 1337406 | JPG  |
| P114 17590 CAN 1 | REGENERATION AND TRANSFORMATION OF COTTON |                                       |      |
| ISSUED           | Filed: 11/18/88<br>App.#: 616835          | Issued: 06/06/95<br>Patent #: 1335799 | JPG  |
| P114 17590 EPO   | REGENERATION AND TRANSFORMATION OF COTTON |                                       |      |
| PUBLISHED        | Filed: 11/16/88<br>App.#: 89901415.3      | Issued:<br>Patent #:                  | JPG  |
| P114 17590 GRE   | REGENERATION AND TRANSFORMATION OF COTTON |                                       |      |
| PENDING          | Filed: 11/11/88<br>App.#: 880100761       | Issued:<br>Patent #:                  | JPG  |
| P114 17590 GUA   | REGENERATION AND TRANSFORMATION OF COTTON |                                       |      |
| PENDING          | Filed: 11/11/88<br>App.#: PI880086        | Issued:<br>Patent #:                  | JPG  |
| P114 17590 ISR   | REGENERATION AND TRANSFORMATION OF COTTON |                                       |      |
| PENDING          | Filed: 11/02/88<br>App.#: 88266           | Issued:<br>Patent #:                  | JPG  |
| P114 17590 ISR 1 | REGENERATION AND TRANSFORMATION OF COTTON |                                       |      |
| PENDING          | Filed: 11/02/88<br>App.#: 104845          | Issued:<br>Patent #:                  | JPG  |
| P114 17590 JPN   | REGENERATION AND TRANSFORMATION OF COTTON |                                       |      |
| PUBLISHED        | Filed: 11/16/88<br>App.#: 01-501312       | Issued:<br>Patent #:                  | JPG  |
| P114 17590 JPN 1 | REGENERATION AND TRANSFORMATION OF COTTON |                                       |      |
| PUBLISHED        | Filed: 06/30/93<br>App.#: 05-214729       | Issued:<br>Patent #:                  | JPG  |
| P114 17590 KOR   | REGENERATION AND TRANSFORMATION OF COTTON |                                       |      |
| PENDING          | Filed: 11/16/88<br>App.#: 89-701350       | Issued:<br>Patent #:                  | JPG  |

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SCHEDULE B - FOREIGN

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| CPR NO./STATUS              | TITLE/APP. NO.  | PATENT NO.                               | ATTY |
|-----------------------------|---|--|------|
| P114 17590 PAK<br>ISSUED    | REGENERATION AND TRANSFORMATION OF COTTON<br>Filed: 02/05/89<br>App.#: 54/89      | Issued: 05/06/91<br>Patent #: 131623     | JPG  |
| P114 17590 POR<br>ISSUED    | REGENERATION AND TRANSFORMATION OF COTTON<br>Filed: 11/18/88<br>App.#: 89034      | Issued: 02/01/94<br>Patent #: 89034      | JPG  |
| P114 17590 PRC<br>PENDING   | REGENERATION AND TRANSFORMATION OF COTTON<br>Filed: 11/18/88<br>App.#: 88107938.3 | Issued:<br>Patent #:                     | JPG  |
| P114 17590 PRC 1<br>ISSUED  | REGENERATION AND TRANSFORMATION OF COTTON<br>Filed: 11/18/88<br>App.#: 92110287.9 | Issued: 04/13/96<br>Patent #: 92110287.9 | JPG  |
| P114 17590 PRC 2<br>ISSUED  | REGENERATION AND TRANSFORMATION OF COTTON<br>Filed: 11/18/88<br>App.#: 92110276.3 | Issued: 04/06/96<br>Patent #: 92110276.3 | JPG  |
| P114 17590 RUS<br>PENDING   | REGENERATION AND TRANSFORMATION OF COTTON<br>Filed: 11/16/88<br>App.#: 4614680.13 | Issued:<br>Patent #:                     | JPG  |
| P114 17590 SAF<br>ISSUED    | REGENERATION AND TRANSFORMATION OF COTTON<br>Filed: 11/16/88<br>App.#: 88/8550    | Issued: 08/30/89<br>Patent #: 88/8550    | JPG  |
| P114 17590 SPA<br>ISSUED    | REGENERATION AND TRANSFORMATION OF COTTON<br>Filed: 11/16/88<br>App.#: P8803483   | Issued: 08/29/90<br>Patent #: 2016428    | JPG  |
| P114 17590 SUD<br>PENDING   | REGENERATION AND TRANSFORMATION OF COTTON<br>Filed: 11/19/89<br>App.#: 421/89     | Issued:<br>Patent #:                     | JPG  |
| P114 17590 TUR<br>PENDING   | REGENERATION AND TRANSFORMATION OF COTTON<br>Filed: 11/17/88<br>App.#: 49412/88   | Issued:<br>Patent #:                     | JPG  |
| P114 17590 TUR 1<br>PENDING | REGENERATION AND TRANSFORMATION OF COTTON<br>Filed: 11/17/88<br>App.#: 931/90     | Issued:<br>Patent #:                     | JPG  |

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