

04-19-1999

Form PTO-1595
(Rev. 6-93)

101014399

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

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

1. Name of conveying party(ies):

1 Jewel Payne 2 M. Keith Kennedy
 3 John B. Randall 4 Henry Meier
 5 Heidi J. Uick 6 Luis Foncerrada

Additional name(s) of conveying party(ies) attached? ☒ Yes ☐ No

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

Name Mycogen Corporation
 Internal Address:

3. Nature of conveyance:

☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Street Address:

5501 Oberlin Drive
 San Diego, CA 92121

City State ZIP

Execution Date: Dec. 1,8,9, 1993 & Feb. 1,2, 1996

Additional 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)

B. Patent No.(s)

USSN 09/173,891; filed October 16, 1998

Docket No. MSCJ-104CD2

Additional numbers attached? ☐ Yes ☒ No

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

6. Total number of applications and patents involved:

1

Name: Jay M. Sanders
 Internal Address: Saliwanchik, Lloyd & Saliwanchik
 A Professional Association
 Street Address: 2421 N.W. 41st Street
 Suite A-1
 City: Gainesville State: FL Zip: 32606

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

☐ Enclosed☒ Authorized to be charged to deposit account

8. Deposit account number:

19-0065

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

04/16/1999 DNGUYEN 00000187 190065 09173891

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

10

01 FC:581

40.00 CH

Additional Names of Conveying Parties:

7. H. Ernest Schnepf

8. George E. Schwab

9. Jenny Fu

ASSIGNMENT

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

☐ signed by me as dated below.

☒ filed November 24, 1993 Serial No. 08/158,232.

WHEREAS, MYCOGEN CORPORATION, a corporation of the State of Delaware, having a place of business at San Diego, California, 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 two pages

IN TESTIMONY WHEREOF, I have hereunto set my hand this 1st day
of December, 1993.

Signed Jewel M. Payne

Jewel M. Payne
Address: 2318 Elendil Lane
Davis, CA 95616

State of California)
County of ~~San Diego~~ Yolo)

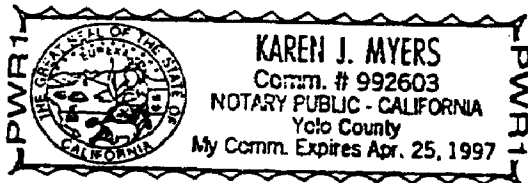
On this 1st day of December, 1993, personally appeared before
me the above-named JEWEL M. PAYNE, to me known and known to me to be the person
described in the foregoing instrument, who executed the foregoing instrument, and who
acknowledged the same to be his/her free act and deed in and for the purposes set forth in
said instrument.

Karen J. Myers
Notary Public

My Commission Expires:

4/25/97

SEAL



Page two of two pages

ASSIGNMENT

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

☐ signed by us as dated below.

☒ filed November 24, 1993, Serial No. 08/158,232.

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.

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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 three pages

IN TESTIMONY WHEREOF, I have hereunto set my hand this 2 day of Feb., 1996,
1996.

Signed M. Keith Kennedy
M. Keith Kennedy
Address: 2 Landsdale Lane
Racine, Wisconsin 53402 USA

State of Wisconsin)
County of Racine)

On this 5th day of February, 1996, personally appeared before me the above-named M. KEITH KENNEDY, to me known and known to me to be the person described in the foregoing instrument, who executed the foregoing instrument, and who acknowledged the same to be his/her free act and deed in and for the purposes set forth in said instrument.

Deanne M. Hlinkhammer
Notary Public

My Commission Expires: 3-9-97

SEAL

IN TESTIMONY WHEREOF, I have hereunto set my hand this 2 day of FEBRUARY,
1996.

Signed John Brookes Randall
John Brookes Randall
Address: 1729 Centennial Lane
Racine, Wisconsin 53406 USA

State of Wisconsin)
County of Racine)

On this 5th day of February, 1996, personally appeared before me the above-named JOHN BROOKES RANDALL, to me known and known to me to be the person described in the foregoing instrument, who executed the foregoing instrument, and who acknowledged the same to be his/her free act and deed in and for the purposes set forth in said instrument.

Deanne M. Hlinkhammer
Notary Public

My Commission Expires: 3-9-97

SEAL

IN TESTIMONY WHEREOF, I have hereunto set my hand this 1 day of February, 1996.

Signed Henry Meier
Henry Meier
Address: 2827 Santa Fe Trail
Racine, Wisconsin 53404 USA

State of Wisconsin)
County of Racine)

On this 1st day of February, 1996, personally appeared before me the above-named HENRY MEIER, to me known and known to me to be the person described in the foregoing instrument, who executed the foregoing instrument, and who acknowledged the same to be his/her free act and deed in and for the purposes set forth in said instrument.

Debra S. Bielefeldt
Notary Public

My Commission Expires: 10-26-97

SEAL

IN TESTIMONY WHEREOF, I have hereunto set my hand this 2nd day of February, 1996.

Signed Heidi Jane Uick
Heidi Jane Uick
Address: 139 Greshell Lane
Racine, Wisconsin 53406 USA

State of Wisconsin)
County of Racine)

On this 5th day of February, 1996, personally appeared before me the above-named HEIDI JANE UICK, to me known and known to me to be the person described in the foregoing instrument, who executed the foregoing instrument, and who acknowledged the same to be his/her free act and deed in and for the purposes set forth in said instrument.

Deanne M. Klinkhammer
Notary Public

My Commission Expires: 3-9-97

SEAL

Page three of three pages

ASSIGNMENT

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

☐ signed by us as dated below.

☒ filed November 24, 1993, Serial No. 08/158,232.

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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 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 2 pages

IN TESTIMONY WHEREOF, I have hereunto set my hand this 9th day
of December, 1993.

Signed Luis Foncerrada

Luis Foncerrada

Address: ~~2735 Teresita~~ 322 FERRACA WAY
San Diego, CA ~~92104~~ VISTA, CA 92083

IN TESTIMONY WHEREOF, I have hereunto set my hand this 8th day
of December, 1993.

Signed H. Ernest Schnepf

H. Ernest Schnepf

Address: 7954 Handel Court
San Diego, CA 92126

IN TESTIMONY WHEREOF, I have hereunto set my hand this 8th day
of Dec., 1993.

Signed George E. Schwab

George E. Schwab

Address: 1351 Walnutview
Encinitas, CA 92024

IN TESTIMONY WHEREOF, I have hereunto set my hand this 8th day
of December, 1993.

Signed Jenny Fu

Jenny Fu

Address: 4533 Da Vinci Street
San Diego, CA 92130

[ATTACH NOTARY CERTIFICATE FOR EACH SIGNATURE]

IN TESTIMONY WHEREOF, I have hereunto set my hand this 9th day
of December, 1993.

Signed

Luis Foncerrada
Luis Foncerrada

Address:

~~2735 Teresita~~ 322 FERRACA WAY
San Diego, CA 92104 VISTA, CA 92083

IN TESTIMONY WHEREOF, I have hereunto set my hand this 8th day
of December, 1993.

Signed

H. Ernest Schnepf
H. Ernest Schnepf

Address:

7954 Handel Court

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No

State of California

County of San Diego

On 12-9-93 before me, Kaye Barlow, Notary Public

DATE

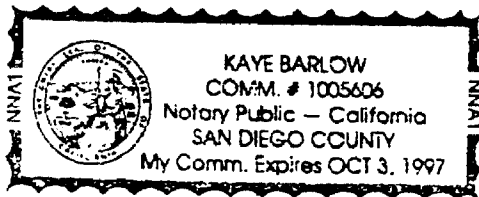
NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared Luis Foncerrada

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 SECTION

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

☐ INDIVIDUAL

☐ CORPORATE OFFICER(S)

TITLE(S)

☐ PARTNER(S) ☐ LIMITED

☐ GENERAL

☐ ATTORNEY-IN-FACT

☐ TRUSTEE(S)

☐ GUARDIAN/CONSERVATOR

☐ OTHER: _____

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

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OPTIONAL SECTION

TITLE OR TYPE OF DOCUMENT Patent Acknowledgment

NUMBER OF PAGES 2

DATE OF DOCUMENT 12-9-93

SIGNER(S) OTHER THAN NAMED ABOVE Jenny Fu, Ernie Schnepf, Gear

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SIGNER(S) OTHER THAN NAMED ABOVE Luis Foncerrada

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