

08-17-1999

PATENT



101118605

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U.S. PTO  
09/369952  
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TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

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Patent Number(s)

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If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

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**Number of Properties**

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Fee Amount for Properties Listed (37 CFR 3.41): \$

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*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. Charges to deposit account are authorized, as indicated herein.*

Charles R. Cypher  
Name of Person Signing

  
Signature

August 4, 1999  
Date

- 1 -

ASSIGNMENT FOR UNFILED APPLICATION FOR  
UNITED STATES PLANT PATENT

WHEREAS, WE, DR. MASAO BESSHO, a citizen of Japan, residing at 738-24 Aobadai, Kakegawa-City, Shizuoka-Prefecture, Japan 436-0019, and TOSHIMI OHGA, a citizen of Japan, residing at 1752 Higashiyokoji, Kikugawa-Town, Ogasa County, Shizuoka-Prefecture, Japan 439-0022, (hereinafter referred to as ASSIGNORS), are the original inventors of a new and distinct variety of Calibrachoa Plant named 'LIRICASHOWER PINK', and have asexually reproduced the new and distinct variety for which application for United States Letters Patent was executed by us on June, 29, 1999; and

WHEREAS, SAKATA SEED CORPORATION, a Japanese Corporation organized and existing under the laws of Japan, located and doing business at 2-71 Nakamachidai, Tsuzuki-ku, Yokohama, Japan 224, (hereinafter designated as ASSIGNEE), is desirous of acquiring the entire interest in, to and under said invention and in, to and under Letters Patent or similar legal protection to be obtained therefor in the United States and in any and all foreign countries;

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 sell, assign and transfer to ASSIGNEE the full and exclusive right, title and interest to said invention in the United States and its territorial possessions and in all foreign countries and to all Letters Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign countries to be obtained for said invention by said application or any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in a foreign country for the full term or terms for which the same may be granted;

ASSIGNORS hereby covenant 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 covenant that ASSIGNEE will, upon its request and at its expense, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents in foreign countries as may be known and accessible to ASSIGNORS and 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, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof in any foreign country which may be necessary or desirable to carry out the purposes thereof;

And the Commissioner of Patents and Trademarks of the United States is hereby authorized to issue Letters Patent on said above named Application to said ASSIGNEE;

IN TESTIMONY WHEREOF, we have hereunto subscribed our names DR. MASAO BESSHO and TOSHIMI OHGA this 29 day of June, 1999 at

Masao Bessho

DR. MASAO BESSHO

Toshimi Ohga

TOSHIMI OHGA