

11-02-1999

Form 159
1-31-92 modified)

RECOR

U.S. Department of Commerce
Patent and Trademark Office

MRD 11.1.99



101189431

To the Honorable Assistant Commissioner for Patents: Please record the attached
original documents or copy thereof

1. Name of conveying party(ies):

Raymond L. Rodriguez
Ning Huang2. Name/address of receiving
party(ies):

Applied Phytologics, Inc.

Add'l names of conveying parties attached?

☐ Yes ☒ No3. Nature of conveyance: ☒ Assignment☐ Merger ☐ Security Agreement ☐ Other☐ Change of Name ☐ Reassignment4110 North Freeway Boulevard
Sacramento, CA 958344. Date(s) of execution: October 28,
1999Add'l names of receiving parties
attached? ☐ Yes ☒ No

5. Application number(s) and/or patent number(s):

If this document is being filed with a new application, the date of signature
by the first named inventor was: _____.

A. Patent Application No.(s)

09/344,438 filed 06/25/99

B. Patent No.(s)

Additional numbers attached: ☐ Yes ☒ No6. Name and address of party to whom
correspondence concerning document
should be mailed:**Dehlinger & Associates**
P.O. Box 60850
Palo Alto, CA 94306
(650) 324-08807. Total No. of applications and
patents involved:one (1)8. Total fee (37 CFR \$3.41): \$40.00☒ Enclosed9. Total number of pages, including
cover sheet, attachments and
document: 4

DO NOT USE THIS SPACE

10. 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.*

11/03/1999 NTHA11 00000042 09344438

Peter J Dehlinger
Name of Person SigningPeter J. Dehlinger
Signature10-28-99
Date

01 FC:581

PATENT
REEL: 010343 FRAME: 0203

Assignment

THIS ASSIGNMENT, by Raymond L. Rodriguez and Ning Huang, (hereinafter referred to as the Assignors), residing at Davis, California and Cambridge, California, respectively, witnesseth:

WHEREAS, the said Assignors have invented certain new and useful inventions in Plant Selectable Marker and Plant Transformation Method, set forth in an application for Letters Patent of the United States, bearing Serial No. 09/344,438 and filed on June 25, 1999;

WHEREAS, Applied Phytologics, Inc., a corporation duly organized under and pursuant to the laws of California, and having its principal place of business at 4110 North Freeway Boulevard, Sacramento, California, 95834-1219 (hereinafter referred to as the Assignee), is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon;

NOW, THEREFORE, for valuable consideration, the receipt of which is hereby acknowledged, the said Assignors have sold, assigned, transfer and set over, and by these presents does sell, assign, transfer and set over, unto the said Assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations, and continuations-in-part of said application, or reissues, reexaminations, or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by the said Assignee, for its own use and behoof and the use and behoof of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the Assignor, had this sale and assignment not been made.

AND, for the same consideration, the said Assignors hereby covenant and agree to and with the said Assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, the said Assignors are the joint and lawful owners of the entire right, title and interest in and to the said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that the said Assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND, for the same consideration, the said Assignors hereby covenant and agree to and with the said Assignee, its successors, legal representatives and assigns, that the said Assignors will, whenever counsel of the said Assignee, or the counsel of its successors, legal representatives and assigns, shall

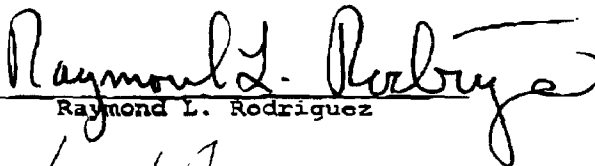
USSN 09/344,438

Attorney Docket 0665-0009.30

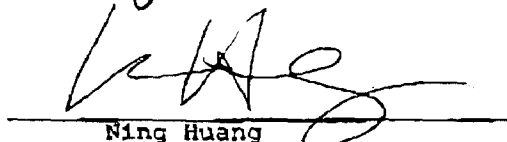
advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation, or continuation-in-part of any application for Letters patent, or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said Assignees, their successors, legal representatives and assigns, but at the cost and expense of the said Assignee, its successors, legal representatives and assigns.

AND, the said Assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to the said Assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use and behoof of the said assignee, its successors, legal representatives and assigns.

Date:

10/28/99
Raymond L. Rodriguez

Date:

10/28/99
Ning Huang

USPW 09/344,438

Attorney Docket 0665-0009.30

WITNESSES TO SIGNATURE BY Raymond I. Rodriguez

1.

[Signature]
Signature
Kelli D. Bengel
Print Name
2805 H. Street #2
Street Address
Sacramento, CA 95816
City, State & Zip Code

10/28/99
Date

2.

[Signature]
Signature
Beth K. Tegge
Print Name
5930 Landis Ave. #2
Street Address
Carmichael, CA 95608
City, State & Zip Code

10/28/99
Date

WITNESSES TO SIGNATURE BY Ning Huang

1.

[Signature]
Signature
Kelli D. Bengel
Print Name
2805 H. Street #2
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City, State & Zip Code

10/28/99
Date

2.

[Signature]
Signature
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Print Name
5930 Landis Ave. #2
Street Address
Carmichael, CA 95608
City, State & Zip Code

10/28/99
Date

Note: May be notarized in lieu of witnessing.