ASSIGNMENT RECODE ATT M COVER SHEET Patents Only MRD 11/15/99 11-26-1999 To the Honorable Commissioner of. Attorney Dkt: 5051-461 Please record the attached original de 101207886 2. Name and address of receiving party(ies): 1. Name of conveying party(ies): North Carolina State University Heather M. Hudson Campus Box 7003 Christopher R. Daubert Raleigh, North Carolina 27695-7003 Edward A. Foegeding Additional name(s) of conveying party(ies) attached? 3. Nature of conveyance: X Assignment __ Merger _ Security Agreement _ Change of Name Other _ Execution Date: 14 October 1999, 14 October 1999 Additional name(s) & address(es) attached? ____ Yes X No 19 October 1999 Patent No. 4. Application Serial No. <u>09/353,741</u> If this document is being filed together with a new application, the execution date of the application is: Additional numbers attached? Yes X No 6. Total number of applications and patents involved: 1 5. Name and address of party to whom correspondence concerning document should be mailed: 7. Total fee (37 CFR 3.41) \$40.00 X Enclosed Kenneth D. Sibley __ Authorized to be charged to deposit account Myers Bigel Sibley & Sajovec P. O. Box 37428 Raleigh NC 27627 8. Deposit account number: 50-0220 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.

Kenneth D. Sibley, Reg. #31,665

Name of Person Signing Total number of pages including cover sheet, attachments and document: 5

Signature

November 10, 1999

Date

11/24/1999 DMGUYEN 00000166 0935374

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PATENT REEL: 010393 FRAME: 0435

ASSIGNMENT

THIS ASSIGNMENT, made by us, Heather M. Hudson, citizen of the United States of America, residing at 3033 Apt F, Dorner Circle, City of Raleigh, State of North Carolina 27606, Christopher R. Daubert, citizen of the United States of America, residing at 900 Brittley Way, City of Apex, State of North Carolina 27502, and Edward A. Foegeding, citizen of the United States of America, residing at 2309 Weymouth Ct., City of Raleigh, State of North Carolina 27612, respectively;

WITNESSETH: That,

WHEREAS, we are the joint inventors of certain new and useful improvements in **THERMAL AND PH STABLE PROTEIN THICKENING AGENT AND METHOD OF MAKING THE SAME** for which an application for United States Letters Patent has been filed in the United States Patent and Trademark Office on July 14, 1999, under Serial No. 09/353,741, and

WHEREAS, North Carolina State University, a constituent institution of The University of North Carolina and an educational institution chartered under the laws of the State of North Carolina having a principal office at Campus Box 7003, City of Raleigh, County of Wake, State of North Carolina 27695-7003, hereinafter referred to as assignee, is desirous of acquiring the entire right, title and interest in and to said invention as described in said application, and in and to any and all Letters Patent which shall be granted therefor in the United States of America and all foreign countries;

NOW, THEREFORE, To Whom It May Concern, be it known that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we have sold and by these presents do hereby sell, assign, transfer, and convey unto the said assignee, its successors and assigns, the entire right, title, and interest in and to the said invention and application, and in and to any and all continuations, continuations-in-part, or divisions thereof, and in and to any and all Letters Patent of the United States of America and all foreign countries or reissues thereof which may be granted therefor or thereon, for the full end of the term for which said Letters Patent may be granted, together with the right to claim the priority of said application in all foreign countries in accordance with the International Convention, the same to be held and enjoyed by said assignee, its successors and assigns, as

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PATENT REEL: 010393 FRAME: 0436 fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made.

We hereby request that said Letters Patent be issued in accordance with this assignment.

We further covenant and agree that, at the time of the execution and delivery of these presents, we possess full title to the invention and application above-mentioned, and that we have the unencumbered right and authority to make this assignment.

We further covenant and agree to bind our heirs, legal representatives, and assigns promptly to communicate to said assignee or its representatives any facts known to us relating to said invention, to testify in any interference or legal proceedings involving said invention, to execute any additional papers which may be requested to confirm the right of the assignee, its representatives, successors, or assigns to secure patent or similar protection for the said invention in all countries and to vest in the assignee complete title to the said invention and Letters Patent, without further compensation, but at the expense of said assignee, its successors, assigns, and other legal representatives.

| IN WITNESS WHEREOF, I have hereunto set my hand and seal on this day |
|--|
| of <u>U67</u> , 1999. |
| Heather M. Hudson (SEAL) |
| STATE OF NORTH CAROLINA) |
| COUNTY OF WAKE |

Before me personally appeared Heather M. Hudson, to me known to be the person described in and who executed the foregoing instrument, and she acknowledged to me that she executed the same for the purposes therein stated, this

*ber*____, 1999.

Notary Public

SEAL

My Commission Expires:

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| IN WITNESS WHEREOF, I have hereunto set my hand and seal on this day |
|---|
| of <i>Oct</i> , 1999. |
| Christopher R. Daubert (SEAL) |
| Cinistopher Ic. Dagoore |
| STATE OF NORTH CAROLINA)) ss: |
| COUNTY OF WAKE) |
| Before me personally appeared Christopher R. Daubert, to me known to be the person |
| described in and who executed the foregoing instrument, and he acknowledged to me that he |
| executed the same for the purposes therein stated, this 14th day of different day, |
| 1999. Latte Hong Notary Public |
| SEAL |
| My Commission Expires: Jaly 26, 2003 |

| · INK |
|---|
| IN WITNESS WHEREOF, I have hereunto set my hand and seal on this |
| of Obfder, 1999. |
| Edward A. Foegoding (SEAL) |
| Edward A. Foeg ed ing |
| STATE OF NORTH CAROLINA)) ss: |
| COUNTY OF WAKE) |
| Before me personally appeared Edward A. Foegeding, to me known to be the person |
| described in and who executed the foregoing instrument, and he acknowledged to me that he |
| executed the same for the purposes therein stated, this 194 day of October, |
| 1999. Lata Hond Notary Public |
| SEAL |
| My Commission Expires: July 24, 2003 |

5051-461

RECORDED: 11/15/1999

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PATENT REEL: 010393 FRAME: 0439