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RECORDATION FORM COVER SHEET  
PATENTS ONLY

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TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

New

Resubmission (Non-Recordation)  
Document ID#

Correction of PTO Error  
Reel #  Frame #

Corrective Document  
Reel #  Frame #

Conveyance Type

Assignment  Security Agreement

License  Change of Name

Merger  Other

**U.S. Government**  
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Departmental File  Secret File

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Mark if additional names of conveying parties attached

Name (line 1)  Execution Date Month Day Year

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**Second Party**

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Name (line 1)   If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

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04/14/2000 DNGUYEN 00000005 09391775

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Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

PATENT  
REEL: 010682 FRAME: 0771

**Correspondent Name and Address**

Area Code and Telephone Number

Name

Address (line 1)

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**Pages**

Enter the total number of pages of the attached conveyance document including any attachments. #

**Application Number(s) or Patent Number(s)**

Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

**Patent Application Number(s)**

**Patent Number(s)**

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.

Month Day Year

**Patent Cooperation Treaty (PCT)**

Enter PCT application number only if a U.S. Application Number has not been assigned.

PCT

PCT

PCT

PCT

PCT

PCT

**Number of Properties**

Enter the total number of properties involved. #

**Fee Amount**

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

Method of Payment:  
Deposit Account

Enclosed  Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

Authorization to charge additional fees:

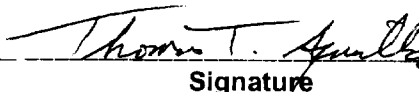
Yes  No

**Statement and Signature**

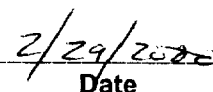
To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Thomas T. Aquilla

Name of Person Signing



Signature



Date

**ASSIGNMENT AND AGREEMENT**

For value received, I, James B. Russell, of Ithaca in the State of New York, hereby sell, assign and transfer to United States Department of Agriculture, and its successors, assigns and legal representatives (hereinafter referred to as the "Assignee"), the entire right, title and interest, for the United States of America, in and to certain inventions related to the "RUMINAL FLUID INOCULATION OF CALVES", described in an application for Letters Patent of the United States, executed by me of even date here with, and all the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and I also concurrently hereby sell, assign and transfer to Assignee the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

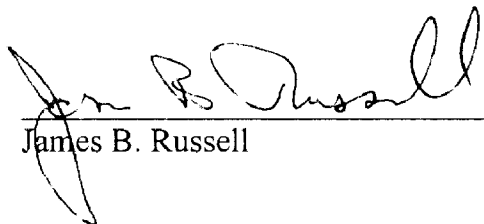
I hereby acknowledge and correct an error in the original assignment document, recorded in the Patent and Trademark Office Assignment Division at reel 010282 frame 0656, wherein, due to a clerical error, the assignee was erroneously listed as being Cornell University, 20 Thornwood Drive, Suite 105, Ithaca, New York 14850. I hereby confirm title in the United States Department of Agriculture, the proper assignee.

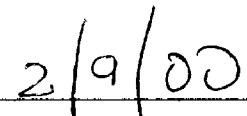
I authorize Assignee to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from me, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

I hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of Assignee to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

I request that any and all patents for said inventions be issued to Assignee in the United States and in all countries foreign to the United States, or to such nominees as Assignee may designate.

I agree that, when requested, I shall, without charge to Assignee, but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.

  
James B. Russell

  
Date

February 29, 2000

In re Application of: Muscato et al.  
Serial No. 09/391,775  
Filed: September 8, 1999  
For: RUMINAL FLUID INOCULATION OF CALVES  
Art Unit: 1615  
Attorney Docket No.: CRF-2468

**VERIFIED STATEMENT EXPLAINING ERROR IN  
RECORDED ASSIGNMENT DOCUMENT**

HONORABLE COMMISSIONER OF  
PATENTS AND TRADEMARKS  
Washington, D.C. 20231

This verified statement is made by the person having personal knowledge to explain how the error in good faith occurred and how and when it was discovered in connection with the accompanying corrected assignment document.

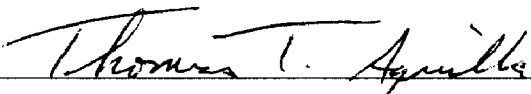
Having personal knowledge of the above error, I hereby declare that:

1. My name is Thomas T. Aquilla.
2. I reside at 88 Lower Creek Road, Ithaca, New York 14850.
3. I am attorney of record for U.S. Patent Application No. 09/391,775 and was involved with its preparation and filing.
4. The assignment documents recorded in the USPTO Assignment Division at reel 010282 frame 0656 and reel 010282 frame 0659 contain errors, as follows.
5. The assignment document recorded at reel 010282 frame 0659 erroneously lists the assignee as being the United States Department of Agriculture.

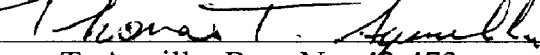
6. The assignment document recorded at reel 010282 frame 0656 erroneously lists the assignee as being Cornell University.
7. The above errors in the assignment documents were discovered when the Notice of Recordation was received on or around December 3, 1999.
8. The errors arose through a clerical mistake, without any deceptive intent, whereby the two inventors' employers' names were accidentally transposed.
9. The accompanying assignment documents acknowledge and correct the errors in the original assignment documents and confirm title in the proper assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: February 29, 2000

  
\_\_\_\_\_  
Thomas T. Aquilla

Respectfully Submitted:  
Thomas V. Muscato

By:   
\_\_\_\_\_  
Thomas T. Aquilla, Reg. No. 43,473  
Attorney for Applicant

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Dated: February 29, 2000