

5/17/00

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06-05-2000

To The Honorable Assistant Commission



id original documents or copy thereof:

1. Name of conveying party(ies):

101373974

Class of receiving party(ies)

Linda E. Hanson and Charles R. Howell

Name: The United States of America, as represented

Additional name(s) of conveying party(ies) attached? [] Yes [X] No

by the Secretary of Agriculture

3. Nature of Conveyance:

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[X] Assignment [] Merger
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[] Other

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Execution Date: 05/16/00

4. Application number(s) or patent number(s):

09573354

If this document is being filed together with a new application, the execution date of the application is: May 17, 2000

A. Patent Application No.(s)

B. Patent No.

P.C. 0027.00

Additional numbers attached? [] Yes [X] 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: Randall E. Deck

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

Internal Address: USDA-ARS-OTT-National Center

[] Enclosed

for Agricultural Utilization Research

[X] Authorized to be charged to Deposit Account

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City: Peoria State: IL Zip: 61604

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PATENT
REEL: 010820 FRAME: 0148

ASSIGNMENT

WHEREAS, we, Linda E. Hanson and Charles R. Howell

residing at 2101 Harvey Mitchell Parkway S., Apt. 234, College Station, Texas 77840;

805 Avondale, Bryan, Texas 77802; respectively

having invented an improvement in "An Elicitor Potein Produced by *Trichoderma virens* That
Induces Disease Defense Responses in Plants"

for which we have made application for Letters Patent of the United States, executed concurrently herewith and further identified as Department of Agriculture Case No. 0027.00;

WHEREAS, the United States patent rights in said invention are assignable to the United States by virtue of our having made the invention while in the employ of the United States Department of Agriculture under applicable law and regulations of the United States Department of Agriculture which render the patent rights so assignable; and

WHEREAS, the United States, as represented by the Secretary of Agriculture, is desirous of acquiring an assignment of said patent rights;

NOW, THEREFORE, in consideration of these premises, we hereby assign said patent rights to the United States of America, as represented by the Secretary of Agriculture;

We further grant to the Government of the United States a nonexclusive, irrevocable, royalty-free license in any patent which may issue on said invention in any foreign country, including the power to issue sublicenses for use in behalf of the Government and/or in furtherance of the foreign policies of the Government.

Still further, we shall not employ such foreign patents to bar the sale or use, in any foreign country, of materials which are manufactured or otherwise produced essentially in the United States. Rather, we shall grant patent licenses therein, at reasonable terms, to permit such sale or use; Provided, that we shall not be compelled to grant such licenses in any foreign country where said materials are staple articles or commodities of commerce suitable for substantial use other than in infringement of such patents.

Linda E. Hanson
(signature) LINDA E. HANSON

5/16/2000
(date)

Charles R. Howell
(signature) CHARLES R. HOWELL

5/16/2000
(date)