



06-12-00

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07-06-2000



Attorney Docket Number

8170-050

101396701

TO THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS

Box Assignment

Washington, DC 20231

6-9-00

Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Bruce D. Mowrey, Larry T. Kodama, JoAnne F. Coss, Joseph I. Espejo, Jr., and Thomas M. Sjulín

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

2. Name and address of receiving party(ies):

Name: Driscoll Strawberry Associates, Inc.

Address: 345 Westridge Drive

Watsonville, California 95077

Country (if other than USA): \_\_\_\_\_

3. Nature of conveyance:

Assignment

Merger

Security Agreement

Change of Name

Other \_\_\_\_\_

Execution Date: June 2, 2000

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

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s) 09/524,581

B. Patent No.(s)

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Ann L. Gisolfi  
PENNIE & EDMONDS LLP  
1155 Avenue of the Americas  
New York, NY 10036

6. Number of applications

and patents involved: one (1)

7. Total fee (37 CFR 3.41):.....\$ 40.00

Please charge to the deposit account listed in Section 8.

8. Deposit account number:

16-1150

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.*

Rory J. Radding

28,749

Name of Person Signing Reg. No.

Signature

June 9, 2000

Date

Total number of pages including cover sheet:

three (3)

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignment  
Washington, D.C. 20231

07/05/2000 DNGUYEN 00000188 161150 09524581

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NY2 - 1090065.1

PATENT  
REEL: 010888 FRAME: 0838

ASSIGNMENT

WHEREAS, WE, Bruce D. Mowrey, Larry T. Kodama, JoAnne F. Coss, Joseph I. Espejo, Jr., and Thomas M. Sjuln, ASSIGNORS, citizens of the United States, residing at 71 Peace Drive, Watsonville, California 95076, 220 Carnation Drive, Freedom, California 95076, 217 Katherine Avenue, Salinas, California 93901, 157 Calabasas Road, Watsonville, California 95076, and 629 Carpenteria Road, Aromas, California 95004, respectively, are the inventors of the invention in STRAWBERRY PLANT NAMED 'SAN JUAN' for which we have executed an application for a Patent of the United States

- which is executed on even date herewith or (date)
which is identified by Pennie & Edmonds LLP docket no. 8170-050
which was filed on March 13, 2000, Application No. 09/524,581

and WHEREAS, Driscoll Strawberry Associates, Inc., 345 Westridge Drive, Watsonville, California 95077 USA, ASSIGNEE is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

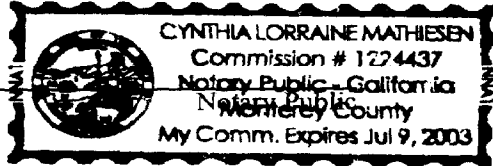
AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date June 2, 2000 Bruce D. Mowrey L.S.
Date June 2, 2000 Larry T. Kodama L.S.
Date June 2, 2000 JoAnne F. Coss L.S.
Date June 2, 2000 Joseph I. Espejo, Jr. L.S.
Date June 2, 2000 Thomas M. Sjuln L.S.

State of California )  
County of San Mateo ) SS.:

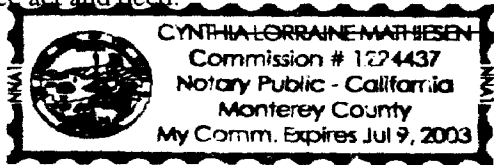
On this 2nd day of June, 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared Bruce D. Mowrey to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and she acknowledged the same to be her free act and deed.



Cynthia L Mathiesen

State of California )  
County of San Mateo ) SS.:

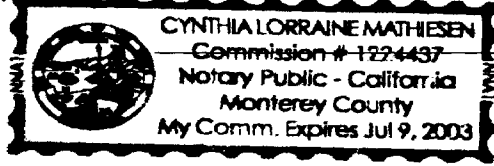
On this 2nd day of June, 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared Larry T. Kodama to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.



Cynthia L Mathiesen  
Notary Public.

State of California )  
County of San Mateo ) SS.:

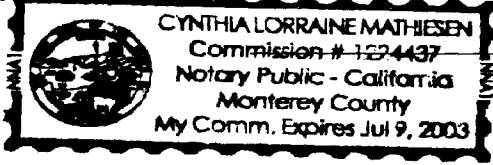
On this 2nd day of June, 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared JoAnne F. Coss to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.



Cynthia L Mathiesen  
Notary Public.

State of California )  
County of San Mateo ) SS.:

On this 2nd day of June, 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared Joseph I. Espejo, Jr. to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.



Cynthia L Mathiesen  
Notary Public.

State of California )  
County of San Mateo ) SS.:

On this 2nd day of June, 2000, before me, a Notary Public in and for the State and County aforesaid, personally appeared Thomas M. Sjuln to me known and known to me to be the person of that name, who signed and sealed the foregoing instrument, and he acknowledged the same to be his free act and deed.



Cynthia L Mathiesen  
Notary Public