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| FORM PTO-1595 1-31-92 | | RECORDATION FORM COVER SHEET PATENTS ONLY | | U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office | |
| To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof. | | | | | |
| 1. Name of conveying party(ies): James K. Petell James A. Strickland Gregory L. Orr Raymond O. Fatig Scott B. Bintrim | | 2. Name and address of receiving party(ies): Dow AgroSciences LLC 9330 Zionsville Road Indianapolis, Indiana 46268 United States of America | | | |
| Additional name(s) of conveying party(ies) attached. | | Additional name(s) & address(es) attached | | | |
| 3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment Merger Security Agreement Change of Name Other: | | | | | |
| Execution Date(s): May 15 and 18, 1998. | | | | | |
| 4. Application number(s) or patent number(s): 60/045,641 Filed 05/05/97 and 09/072,264 Filed 05/04/98; Patent Number 6,048,838 Issued 04/11/00. If this document is being filed together with a new application, the execution date of the application is: A. Patent Application No.(s) B. Patent No.(s): Additional Application Number(s) or Patent Number(s) are attached. | | | | | |
| Title of Application: INSECTICIDAL PROTEIN TOXINS FROM XENORHABDUS | | | | | |
| 5. Name and address of party to whom correspondence concerning document should be mailed: Kenneth L. Loertscher Dow AgroSciences LLC 9330 Zionsville Road Indianapolis, IN 46268 | | 6. Total number of applications and patents involved: 2 7. Total fee (37 CFR 3.41):.....\$ 80.00 Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account 8. Deposit account number: 04-1529 *If this estimate is incorrect, please debit or credit our account accordingly. | | | |
| DO NOT USE THIS SPACE | | | | | |
| 9. Statement and signature. <i>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.</i> Donald R. Stuart, 28,479 Name of Person Signing <u>Donald R Stuart</u> <u>7/11/00</u> Signature Date Total number of pages including cover sheet, attachments, and document: 7 | | | | | |
| 50,585 | | | | | |

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PATENT
REEL: 010994 FRAME: 0021

**INDIVIDUAL ASSIGNMENT AND INVENTOR'S DECLARATION
(with Priority Rights)**

I verily believe I am/we are the original, first and sole/joint inventor(s) of the subject matter which is embraced by and for which a patent is sought on the invention entitled: INSECTICIDAL PROTEIN TOXINS FROM XENORHABDUS

which invention was made and invented by me/us out of and in the course of my/our employment with my/our respective employers as stated below my/our names(s). I/We acknowledge that I/we hold the invention and all patents and other rights and powers obtainable or exercisable in respect thereof in trust for our respective employers.

As trustee(s), and for good and valuable consideration and/or the remuneration received for my work, I/we sell, assign and transfer unto:

**Dow AgroSciences LLC
9330 Zionsville Road
Indianapolis, Indiana 46268
United States of America**

a general partnership organized and existing under the laws of the State of Indiana, U.S.A. (hereinafter referred to as the "Assignee"); my/our entire right, title and interest throughout the world, in and to the invention and all rights and powers to make applications for Letter Patent in its own name, or in the name of its designee (or nominee(s)); and all rights and powers to file any corresponding or equivalent applications in any and all countries, including all rights to claim priority under all International Conventions(s) and Treaties in the name of Assignee, and all rights in and to any Letters Patent that may be issued for the invention in any and all countries.

I/we do hereby agree to assist Assignee in the prosecution of the application(s) and in any interference, conflict, opposition or litigation which may arise involving the invention or the patent or patents thereon, and to execute for any and all countries any document relating to applications derived from, corresponding to or equivalent to the above identified application as Assignee may request.

I/we do hereby authorize Assignee or its designee to insert here the application number, filing date, and country for the first patent application filed on the invention:

Application No. 60/045,641 Filing Date 05/05/97
in country United States of America

To facilitate recordal of this assignment in connection with other patent applications on the invention, I/we do hereby authorize Assignee or its designee to insert here the application number, filing date, and country for any such patent application:

Application No. 09/072,264 Filing Date 05/04/98
in country United States of America

I/we authorize Assignee or its designee to translate this Assignment into all languages necessary; and we request that any such Letters Patent be issued to Assignee; and consent to the recordal of this Assignment, or a Notarial True Copy thereof, being under covenant not only that I/we have full power to make the same, but also that such assigned rights are not encumbered by any grant, license, or other right heretofore given.

Subscribed and Declared by me/us:

At Indianapolis, Indiana USA
this 3 day of May 1997
Effective as of May 4, 1998
Signature [Signature]
Full Name: James K. Petell
Residence: 15 Monahan Road
Zionsville, Indiana 46077
Country: United States of America
Citizenship: United States of America
P.O. Address: Same as Residence
Employed By: Dow AgroSciences LLC
Of Country: United States of America

At Indianapolis, Indiana USA
this 15 day of May 1998
Effective as of May 4, 1998
Signature [Signature]
Full Name: Gregory L. Orr
Residence: 1028 Saratoga Circle
Indianapolis, Indiana 46280
Country: United States of America
Citizenship: Canada
P.O. Address: Same as Residence
Employed By: Dow AgroSciences LLC
Of Country: United States of America

At Indianapolis, Indiana USA
this 15 day of May 1998
Effective as of May 4, 1998
Signature [Signature]
Full Name: James A. Strickland
Residence: 780 Mt. Zion Road
Lebanon, Indiana 46052
Country: United States of America
Citizenship: United States of America
P.O. Address: Same as Residence
Employed By: Dow AgroSciences LLC
Of Country: United States of America

At Indianapolis, Indiana USA
this 15 day of May 1998
Effective as of May 4, 1998
Signature [Signature]
Full Name: Raymond O. Fatig
Residence: 30 Clay Court
Zionsville, Indiana 46077
Country: United States of America
Citizenship: United States of America
P.O. Address: Same as Residence
Employed By: Dow AgroSciences LLC
Of Country: United States of America

At Indianapolis, Indiana USA
this 14 day of May 19 98
Effective as of May 4, 1998
Signature [Signature]
Full Name: Scott B. Bintrim
Residence: 511 Beals Street
Carmel, Indiana 46032
Country: United States of America
Citizenship: United States of America
P.O. Address: Same as Residence
Employed By: Dow AgroSciences LLC
Of Country: United States of America

At _____
this _____ day of _____ 19 _____

Signature _____
Full Name: _____
Residence: _____

Country: _____
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Employed By: _____
Of Country: _____

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Full Name: _____
Residence: _____

Country: _____
Citizenship: _____
P.O. Address: _____
Employed By: _____
Of Country: _____

UNITED STATES OF AMERICA
STATE OF INDIANA
COUNTY/PARISH of Marion

on this 18th day of May
before me **James K. Petell**

1998 personally appeared

known or identified to me to be the individual described in and who executed the foregoing document and acknowledged the same as a free act and deed for uses and purposes therein expressed.

SEAL

Lynn C. Hixon, Notary Public
Resident of Marion County
My Commission Expires February 09, 2001

UNITED STATES OF AMERICA
STATE OF INDIANA
COUNTY/PARISH of Marion

on this 15th day of May
before me **James A. Strickland**

1978 personally appeared

known or identified to me to be the individual described in and who executed the foregoing document and acknowledged the same as a free act and deed for uses and purposes therein expressed.

SEAL

Anna C. Hannon, Notary Public
Resident of Macon County
My Commission Expires February 09, 2001

UNITED STATES OF AMERICA
STATE OF INDIANA
COUNTY/PARISH of Marion

on this 15th day of May
before me Gregory L. Orr

194~~7~~⁸ personally appeared

known or identified to me to be the individual described in and who executed the foregoing document and acknowledged the same as a free act and deed for uses and purposes therein expressed.

SEAL

Lerna C. Hannon, Notary Public
Resident of Marion County
My Commission Expires February 09, 2001

UNITED STATES OF AMERICA
STATE OF INDIANA
COUNTY/PARISH of Marion

on this 15th day of May 1978, personally appeared
before me **Raymond O. Fatig**
known or identified to me to be the individual described in and who executed the foregoing document and
acknowledged the same as a free act and deed for uses and purposes therein expressed.

SEAL

Lynne C. Hannon, Notary Public
Resident of Marion County
My Commission Expires February 09, 2001

UNITED STATES OF AMERICA
STATE OF INDIANA
COUNTY/PARISH of Marion

on this 15th day of May 1995 personally appeared
before me **Scott B. Bintrim**
known or identified to me to be the individual described in and who executed the foregoing document and
acknowledged the same as a free act and deed for uses and purposes therein expressed.

SEAL

Debra C. Carlson, Notary Public
Resident of Wauwatosa County
My Commission Expires February 09, 2008

TRUE COPY

TO ALL TO WHOM THESE PRESENTS SHALL COME,

I Do Hereby Certify that the annexed document(s) are TRUE COPIES of the original document(s) which I have compared at Indianapolis, Indiana 46268, United States of America.

Signed this 11th day of July, 2000.

Angelia McCorkel
Angelia McCorkel

NOTARIAL CERTIFICATE

UNITED STATES OF AMERICA)
STATE OF INDIANA) SS
County/Parish of Marion)

On this 11th day of July, 2000, personally appeared
before me,

Angelia McCorkel

known or identified to me to be the individual who executed the foregoing document and acknowledged the same as a free act and deed for uses and purposes therein expressed.

Lydia S. Owens

SEAL

LYDIA S OWENS
NOTARY PUBLIC STATE OF INDIANA
HENDRICKS COUNTY
MY COMMISSION EXP. MAR. 5, 2008