

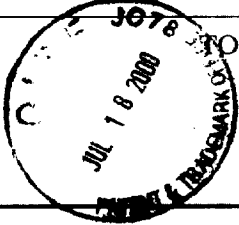
08-19-2000



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Attorney Docket Number 8265-320



TO THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS
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Please record the attached original documents or copy thereof.

1. Names of conveying parties: **7-18-00**

Ralf ZINC (executed on 05-22-00)
Marina ELLI (executed on 06-23-00)
Roberto RENIERO (executed on 05-27-00)
Lorenzo MORELLI (executed on 06-23-00)

Additional names attached? Yes No

2. Name and address of receiving party:

NESTEC S.A.
Avenue Nestlé 55
1800 Vevey
Switzerland

3. Nature of conveyance:

- Assignment Merger
- Security Agreement Change of Name
- Other

4. Application numbers or patent numbers: **09/559,355 filed April 27, 2000**

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

A. Patent Application No. | B. Patent No.

Additional numbers attached? Yes No

5. Mail correspondence to:

PENNIE & EDMONDS LLP
1667 K Street, N.W.
Washington, D.C. 20006

6. Number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00
Please charge deposit account listed in Section 8.

8. Deposit account number: 16-1150

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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.

Allan A. Fanucci, Reg. No. 30,256

7/18/00

Name of Person Signing

Signature

Date

08/17/2000 DNGUYEN 00000173 161150 09559355

Total number of pages including cover sheet:

3

01 FC:581 **40.00 CH**

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

ASSIGNMENT

WHEREAS, WE, Ralf ZINK, citizen of Germany, Marina ELLI, Roberto RENIERO, and Lorenzo MORELLI, citizens of Italy, ASSIGNORS, , respectively, residing at Chemin Maison Jean 36, CH-1801 LE MONT PELERIN; Avenue de la Sallaz 50, CH-1010 LAUSANNE; 24, ch. PAUDILLE, CH-1801 LE MONT PELERIN; 2, Via Cittadella, Piacenza, are the inventors of the invention in **ENHANCED GROWTH OF LACTIC ACID BACTERIA IN MILK** for which we have executed an application for a Patent of the United States

- which is executed on even date herewith or _____
- which is identified by Pennie & Edmonds LLP docket no. 8265-320
- which was filed on _____, Application No. Not yet assigned

and WHEREAS, NESTEC S.A., Avenue Nestle 55, CH-1800 Vevey, Switzerland, 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 22.05.00, 2000  _____ L.S.
RALF ZINK

On this 22.05.00 day of _____, 2000, before me, a witness, personally appeared Ralf Zink, 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/her free act and deed.

 _____
WITNESS.

Date 23/06, 2000 Marina Elli
MARINA ELLI L.S.

On this 23rd day of JUNE, 2000, before me, a witness,
personally appeared Marina Elli, 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/her free act and deed.

Lorell
WITNESS.

Date 27/5, 2000 Roberto Reniero
ROBERTO RENIERO L.S.

On this 27th day of MAY, 2000, before me, a witness,
personally appeared Roberto Reniero, 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/her free act and deed.

Raf. En
WITNESS.

Date 23/06, 2000 Lorenzo Morelli
LORENZO MORELLI L.S.

On this 23rd day of JUNE, 2000, before me, a witness,
personally appeared Lorenzo Morelli, 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/her free act and deed.

Marina Elli
WITNESS.