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TO: The commissioner of patents and trademarks: Please record the attached original document(s) or copy(ies).

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- x Assignment 2 1
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Other

3a. PATENT OR APP. # 09/535,851

3b. EXECUTION DATE:

4. CONVEYING PARTY(IES)

- 1. Johnway Gao Date 07312000
2. Rodney S. Skeen Date 07242000
3. Date
4. Date
5. Date
6. Date
7. Date
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9. Date
10. Date
11. Date
12. Date

5. RECEIVING PARTY

Name: Battelle Memorial Institute K1-53
Internal Address: K1-53 P.O Box 999 Intellectual Property Services
Street Address: 902 Battelle Blvd. Intellectual Property Services
City: Richland State: WA Zip: 99352
Any additional names of conveying parties attached? Yes No

6. CORRESPONDENT NAME AND ADDRESS

Name: Stephen R. May (K1-53)
Street Address: 902 Battelle Blvd. P.O. Box 999
City: Richland State: WA Zip: 99352
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7. FEE & DEPOSIT ACCOUNT #

Method Of Payment:
Enclosed X Deposit Account \$ 40.00
Deposit Account Number: #02-1275 (Payor No. 005055)
Authorization to charge additional fees: X Yes No

8. 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.

Stephen R. May
Name of Person Signing

Signature

Aug 2, 2000
Date

10/05/2000 MTHAI1 00000289 021275 09535851
01 FC:581 40.00 CH

A S S I G N M E N T

Johnway Gao
Rodney S. Skeen

to

Battelle Memorial Institute

WHEREAS we, Johnway Gao of Richland, in the County of Benton, and State of Washington; and Rodney S. Skeen of Pendleton, in the County of Umatilla, and State of Oregon, have made certain inventions in A PROMOTER SEQUENCE OF 3-PHOSPHOGLYCERATE KINASE GENE 2 OF LACTIC ACID-PRODUCING FUNGUS *RHIZOPUS ORYZAE* AND A METHOD OF EXPRESSING A GENE OF INTEREST IN FUNGAL SPECIES, described and claimed in Application Serial Number 09/535,851, filed March 27, 2000; and

WHEREAS Battelle Memorial Institute, a corporation of Ohio, organized and existing under the laws of the State of Ohio, and having a place of business in the City of Richland, Washington, is desirous of acquiring an interest in the said invention and in any patent or patents to be obtained therefor;

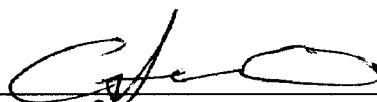
NOW, THEREFORE, To All Whom It May Concern, be it known that, for and in consideration of the sum of One Dollar (\$1.00) each, and other good and valuable considerations, the receipt of which is hereby acknowledged, we have sold, assigned, and transferred, and by these presents do sell, assign and transfer unto the said Battelle Memorial Institute, the entire right, title, and interest in and to the invention shown, described, or claimed therein, and the full and exclusive right and title to the said application; and in and to any extensions, reissues, divisions, or renewals thereof; and we do hereby authorize and request the Commissioner of Patents or other proper Officer, to issue such Letters Patent, or any of them, to the said Battelle Memorial Institute, as the assignee of our entire right, title, and interest in and to the same for the sole use and benefit of the said Battelle Memorial Institute, and its successors or assigns.

And we further covenant and agree that we will, at the request and expense of the said Battelle Memorial Institute, execute such other and further assurances of title as may be necessary or proper to fully convey the interest herein sought to be conveyed; that we will, at the request and

expense of the said Battelle Memorial Institute, execute such application papers as may be desired by the said Battelle Memorial Institute, for the filing of any division or renewal of the application herein conveyed, or for reissues or extensions, of any Letters Patent that may be granted upon said application, and will execute such Supplemental Oaths and Preliminary Statements, or other papers as desired by the said Battelle Memorial Institute.


And we further assign unto the said Battelle Memorial Institute, the whole right, title, and interest to the invention disclosed in the application throughout all countries foreign to the United States, and do hereby authorize the said Battelle Memorial Institute to apply for patents therefor in its own name in countries where such procedure is proper and to claim the benefit of the International Convention and do agree to execute applications for the said invention in the several countries where it is necessary that the same be executed by the inventors, and to execute assignments of such applications and the patents to be obtained therefor to the said Battelle Memorial Institute, the assignee herein, as well as all other necessary papers.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my seal at Richland, Washington, this 31 day of July, 2000.



Johnway Gao

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my seal at Peneltion, Oregon, this 24 day of July, 2000.



Rodney S. Skeen