

03-09-2001



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Form-PTO-1595 1-31-92		TRAN TITIAL OF DOCUMENT FOR RECORD PATENTS ONLY		ON		Atty. Docket: 2280.2193	
To the Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.							
1. Name of conveying party(ies): MARY E. MYERS and ERIC J. WHITACRE <i>MRD</i> <i>6/22/98</i> Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				2. Name and address of receiving party(ies): Name: <u>MARS, INCORPORATED</u> Foreign Address: _____ Domestic Address: <u>6885 Elm Street</u> City: <u>McLean</u> State <u>VA</u> ZIP <u>22101-3883</u> Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: <u>June 10, 1998</u>							
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 Number: <u>09/041,326</u> Filing Date: <u>March 12, 1998</u> Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				B. Title of Invention: <u>FOOD PRODUCTS HAVING ENHANCED COCOA POLYPHENOL CONTENT AND PROCESSES FOR PRODUCING THE SAME</u>			
5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>Fitzpatrick, Cella, Harper & Scinto</u> <u>30 Rockefeller Plaza</u> <u>New York, New York 10112-3801</u> Telephone No.: <u>(212) 758-2400</u> Facsimile No.: <u>(212) 758-2982</u>				6. Number of applications and patents involved: <u>One</u> 7. Total fee (37 CFR 3.41): . . . \$ <u>40.00</u> <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account 8. Deposit account number (for deficiency or excess) <u>06-1205</u> (Attach duplicate copy of this page if paying by deposit account):			
DO NOT USE THIS SPACE							
9. Statement and signature. To the best of my knowledge and belief, the foregoing information is true and the attached is the original document or is a true copy of the original document. <u>RAYMOND R. MANDRA</u> Name of Person Signing				<i>Charge 40.00</i> <i>Per Margaret Kelly</i> <u><i>R. R. Mandra</i></u> Signature <u>June 19, 1998</u> Date			
Total number of pages including cover sheet, attachments, and documents: 3							

PS12/A0098817.DOC (Rev. 3/12/98)

ASSIGNMENT

FOR VALUE RECEIVED, WE Mary E. Myers and Eric J. Whitacre, citizens of the United States of America, residing, respectively, at 369 Harvest Drive, Lititz, PA 17541, and at 570 Miller Rd., Elizabethtown, PA 17022 hereby sell, assign, transfer and convey unto Mars, Incorporated, a corporation of Delaware, having a place of business at 6885 Elm Street, McLean, Virginia 22101-3883,

its successors, assigns and legal representatives (hereinafter called the "Assignee"), the entire right, title and interest, for all countries, in and to certain inventions relating to FOOD PRODUCTS HAVING ENHANCED COCOA POLYPHENOL CONTENT AND PROCESSES FOR PRODUCING THE SAME

and described in the application for Letters of Patent of the United States, assigned Application No. 09/041,326, filed March 12, 1998,

and in and to said application, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted, thereon, and all reissues and extensions thereof, and all applications for Letters Patent or other grants of protection of proprietary rights including, but not limited to, inventor's certificate, utility model, utility certificate, patent of importation, registration of patent and industrial design registration which may be filed, and which may be granted, upon said inventions in any countries or regions foreign to the United States, and all reissues, renewals and extensions thereof; and we hereby authorize and request the Commissioner for Patents and Trademarks of the United States, and all officials of countries or regions foreign to the United States having authority so to do, to issue all such Letters Patent or other grants of protection upon said inventions to the Assignee or to such nominee as it may designate.

AND we authorize and empower the said Assignee or nominee to invoke and claim for any application for such Letters Patent or other grants of protection for said inventions filed by it or them, the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by a convention which may henceforth be substituted for it, and to invoke and claim such right of priority without further written or oral authorization from us.

AND we hereby consent that a copy of this assignment shall be deemed a full and formal equivalent of any assignment, consent to file or like document which may be required in any country or region for any purpose and more particularly in proof of the right of the said Assignee or nominee to claim the aforesaid benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it.

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

AND we hereby covenant and agree that we will communicate to said Assignee or nominee all facts known to us pertaining to said inventions, and testify in all legal proceedings, sign all lawful papers, execute all divisional, continuing and related applications, make all rightful oaths and declarations and in general perform all lawful acts necessary or proper to aid said Assignee or nominee in obtaining, maintaining and enforcing all lawful patent or other grants of protection of said inventions in any and all countries and regions.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 10 day of July, 1998

Darry E. Rogers L.S.
Mary E. Myers

STATE OF Pennsylvania)
COUNTY OF Lancaster) ss.:

On this 10 day of June, 1998 before me personally appeared Mary E. Myers,

to me known and known to me to be the individual described in and who executed the foregoing instrument, and who thereupon acknowledged to me that he executed the same for the purposes therein set forth.

(Seal)

Julia A. Neuman
Notary Public
Notarial Seal
Julia A. Neuman, Notary Public
Elizabethtown Boro, Lancaster County
My Commission Expires Aug. 30, 1998
Member, Pennsylvania Association of Notaries

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 10 day of June, 1998

Eric J. Whitacre L.S.
Eric J. Whitacre

STATE OF Pennsylvania)
COUNTY OF Lancaster) ss.:

On this 10 day of June, 1998 before me personally appeared Eric J. Whitacre,

to me known and known to me to be the individual described in and who executed the foregoing instrument, and who thereupon acknowledged to me that he executed the same for the purposes therein set forth.

(Seal)

Julia A. Neuman
Notary Public
(Notary Stamp)

Notarial Seal
Julia A. Neuman, Notary Public
Elizabethtown Boro, Lancaster County
My Commission Expires Aug. 30, 1998
Member, Pennsylvania Association of Notaries

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