

05-10-2001

Atty Ref/Docket No.: 600.479US1



101713325

To the Honorable Commissioner of Patents and Tradem.

copy thereof.

1. Name of conveying party(ies):

Paula Olhoft and David A. Somers

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

Name: Regents of the University of Minnesota

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

3. Nature of conveyance:

[X] Assignment

[] Merger

[] Security Agreement

[] Change of Name

[] Other

Street Address: 450 McNamara Alumni Center
200 Oak Street SE

City: Minneapolis State: MN ZIP: 55455-2070

Additional name(s) & address(es) attached? [] Yes [X] No

Execution Date: February 13, 2001 and February 13, 2001

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)

B. Patent No.(s)

Serial No. 09/738,398, filed December 15, 2000

Additional numbers attached? [] Yes [X] No

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

Name: Janet E. Embretson

Address: Schwegman, Lundberg, Woessner & Kluth, P.A.
P.O. Box 2938
Minneapolis, MN 55402

6. Total number of applications and patents involved: 1

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

[X] Enclosed

[] Authorized to be charged to deposit account

8. Please charge any additional fees or credit any overpayments to our
Deposit account number: 19-0743

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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.

Janet E. Embretson/Reg. No. 39,665
Name of Person Signing

Janet E. Embretson
Signature

May 1, 2001
Date

Total number of pages including cover sheet: 4

OMB No. 0651-0011 (exp. 4/94)

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ASSIGNMENT

WHEREAS, WE, Paula Olhoft, residing at 824 County Road B, Roseville, MN 55113, and David A. Somers, residing at 924 West County Road B2, Roseville, MN 55113, made certain new and useful inventions and improvements for which We filed an application for Letters Patent of the United States on December 15, 2000, which application was assigned U.S. patent application serial number 09/738,398, and is entitled METHOD TO ENHANCE AGROBACTERIUM-MEDIATED TRANSFORMATION OF PLANTS.

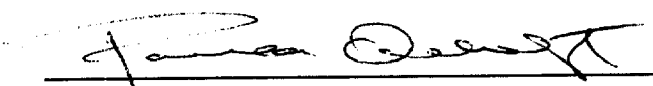
AND WHEREAS, Regents of the University of Minnesota, a corporation organized and existing under and by virtue of the laws of the State of Minnesota, and having an office and place of business at 450 McNamara Alumni Center, 200 Oak Street SE, Minneapolis, MN 55455-2070, (hereinafter "Assignee") is desirous of acquiring the entire right, title and interest in and to said inventions, improvements and application and in and to the Letters Patent to be obtained therefore;

NOW, THEREFORE, to all whom it may concern, be it known that for good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, we have sold, assigned, and transferred, and by these presents do sell, assign and transfer unto said Assignee, its successors or assigns, the entire right, title and interest for all countries in and to all inventions and improvements disclosed in the aforesaid application, and in and to the said application, all divisions, continuations, continuations-in-part, or renewals thereof, all Letters Patent which may be granted therefrom, and all reissues or extensions of such patents, and in and to any and all applications which have been or shall be filed in any foreign countries for Letters Patent on the said inventions and improvements, including an assignment of all rights under the provisions of the International Convention, and all Letters Patent of foreign countries which may be granted therefrom; and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all United States Letters Patent for the aforesaid inventions and improvements to the said Assignee as the assignee of the entire right, title and interest in and to the same, for the use of the said Assignee, its successors and assigns.

AND, for the consideration aforesaid, we do hereby agree that we and our executors and legal representatives will make, execute and deliver any and all other instruments in writing including any and all further application papers, affidavits, assignments and other documents, and will communicate to said Assignee, its successors and representatives all facts known to us relating to said improvements and the history thereof and will testify in all legal proceedings and generally do all things which may be necessary or desirable more effectually to secure to and vest in said Assignee, its successors or assigns the entire right, title and interest in and to the said improvements, inventions, applications, Letters Patent, rights, titles, benefits, privileges and advantages hereby sold, assigned and conveyed, or intended so to be.

AND, furthermore we covenant and agree with said Assignee, its successors and assigns, that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by me/us and that full right to convey the same as herein expressed is possessed by us.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 13th day of February, 2001.

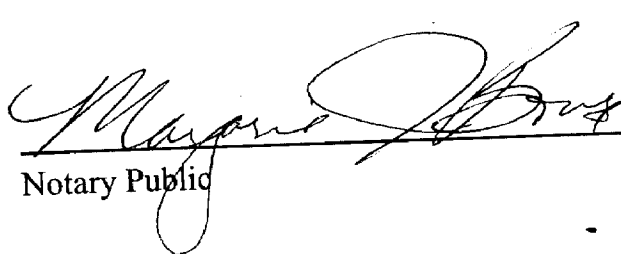


Paula Olhoft

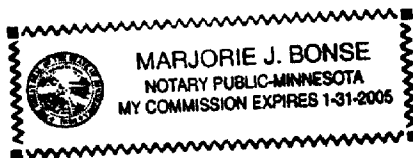
STATE OF Minnesota)
)ss.
COUNTY OF Washington)

On this 13th day of February, 2001 before me personally appeared Paula Olhoft to me known and known to me to be the person described in and who executed the foregoing instrument, and he/she duly acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

[SEAL]



Notary Public



IN TESTIMONY WHEREOF, I have hereunto set my hand this 13 day of February, 2001.

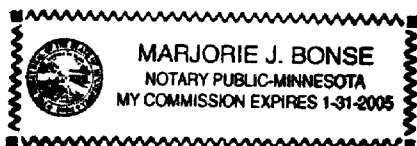


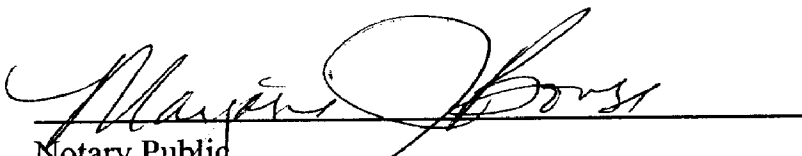
David A. Somers

STATE OF Minnesota)
COUNTY OF Washington)^{ss.}

On this 13th day of February, 2001 before me personally appeared David A. Somers to
me known and known to me to be the person described in and who executed the foregoing instrument,
and he/she duly acknowledged to me that he/she executed the same for the uses and purposes therein
set forth.

[SEAL]





Notary Public