

05-14-2001

FORM PTO-1595
(Rev. 8-93)

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S. 7.01

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Thomas M. Walsh

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies)

Name: Hortech

Internal Address:

Street Address: P.O. Box 533

City: Spring Lake State: MT ZIP: 49456

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other

Execution Date: 4/30/2001

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: 1/10/2001

A. Patent Application No.(s)

09/765699

B. Patent No.(s)

not yet assigned

Additional numbers attached? ☐ Yes ☐ No

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

Name: David S. MacKenzie

Internal Address:

Street Address: P.O. Box 533

City: Spring Lake State: MT ZIP: 49456

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 130.00

☒ Enclosed

130.00 dollars

assignment fee

☐ Authorized to be charged to deposit account

8. Deposit account number:

NA

(Attach duplicate copy of this page if paying by deposit account)

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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.

David S. MacKenzie
Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document:

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments

PATENT

REEL: 011782 FRAME: 0572

Assignment of Patent Rights

I, Thomas M Walsh Thomas M Walsh , attest to having discovered a new form of Miscanthus sinensis with green and yellow banded foliage which was named, at Hortech, Miscanthus sinensis 'Little Zebra'.

I found this plant at Hortech during the course of my duties as an employee of Hortech. And, in accord with the policies of Hortech, I acknowledge this new plant to be the property of Hortech. Accordingly, by signing below, I assign all rights, to patents and otherwise, to Hortech, Inc. of Spring Lake, Michigan.

Thomas M Walsh 4/30/01

Tom Walsh

date

Harold Wilson 4-30-01

notary

date

my Commission Exp 12-27-05