

05-21-2001



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5-1401

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SHEET

Attorney Docket No. 020829-000100US

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

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- ☐ Departmental File ☐ Secret File

Conveying Party(ies)

☒ Mark if additional names of conveying parties attached

Name (line 1) John Tane Christeller

Execution Date
Month Day Year
04 11 01

Name (line 2)

Second Party

Name (line 1) Paul William Sutherland

Execution Date
Month Day Year
04 09 01

Name (line 2)

Receiving Party

☐ Mark if additional names of receiving parties attached

Name (line 1) The Horticulture and Food Research Institute of New Zealand

Name (line 2)

Address (line 1)

Address (line 2) Private Bag 11030

Address (line 3) Palmerston North

New Zealand

City

State/Country

Zip Code

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

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REEL: 011804 FRAME: 0270

Correspondent Name and Address

Area Code and Telephone Number

415-576-0200

Name Kenneth A. Weber

Address (line 1) Townsend and Townsend and Crew LLP

Address (line 2) Two Embarcadero Center

Address (line 3) Eighth Floor

Address (line 4) San Francisco, CA 94111

Pages

Enter the total number of pages of the attached conveyance document including any attachments

2

Application Number(s) or Patent Number(s)

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Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

09/743,690

Patent Number(s)

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

Patent Cooperation Treaty (PCT)

Enter PCT application number
only if a U.S. Application
Number has not been assigned.

PCT

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Number of Properties

Enter the total number of properties involved.

1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$ 40.00

Method of Payment:

Enclosed ☐

Deposit Account ☒

Deposit Account

Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

20-1430

Authorization to charge additional fees:

Yes ☒

No ☐

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.

Kenneth A. Weber

Name of Person Signing


Signature

May 11, 2001

Date

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ASSIGNMENT OF PATENT APPLICATION

WHEREAS, John Tane Christeller of 492 College Street, Palmerston North, New Zealand; Paul William Sutherland of 22 Royal Terrace, Sandringham, Auckland, New Zealand; Colleen Murray of 6 Williams Terrace, Palmerston North, New Zealand; Ngaire Patricia Markwick of 21 Lingham Crescent, Torbay, Auckland, New Zealand; Bruce Allan Philip of 15 La Veta Avenue, Mount Albert, Auckland, New Zealand; Louise Anne Malone of 5 Fitzroy Street, Ponsonby, Auckland, New Zealand; Elisabeth Phyllis June Burgess of 5 Fitzroy Street, Ponsonby, Auckland, New Zealand; and Tammy Longsavanh (person authorized to sign on behalf of the Public Trustee of New Zealand - executor for the deceased inventor Margaret Mary Phung) of 69 Dudley Street, Lower Hutt, New Zealand hereinafter referred to as "Assignors", are the inventors of the invention described and set forth in the below identified application for United States Letters Patent:

Title of the Invention: CHIMERIC POLYPEPTIDES ALLOWING EXPRESSION OF PLANT-NOXIOUS PROTEINS

Date(s) of execution: _____

Filing date: _____ Serial No.: 09/743,690 ; and

WHEREAS, The Horticulture and Food Research Institute of New Zealand Limited of Private Bag 11030, Palmerston North, New Zealand, hereinafter referred to as "Assignee", is desirous of acquiring Assignors' interest in the said invention and application and in any U.S. Letters Patent which may be granted on the same;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have sold, assigned and transferred, and by these presents do sell, assign and transfer unto the said Assignee, and Assignee's successors and assigns, all their right, title and interest in and to the said invention and application and all future improvements thereon, and in and to any Letters Patent which may hereafter be granted on the same in the United States, the said interest to be held and enjoyed by said Assignee as fully and exclusively as it would have been held and enjoyed by said Assignors had this Assignment and transfer not been made, to the full end and term of any Letters Patent which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to said Assignee, but at Assignee's expense, cooperate with Assignee in the prosecution of said application and/or applications, execute, verify, acknowledge and deliver all such further papers, including applications for Letters Patent and for the reissue thereof, and instruments of assignment and transfer thereof, and will perform such other acts as Assignee lawfully may request, to obtain or maintain Letters Patent for said invention and improvement, and to vest title thereto in said Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Date: 11/4/01


John Tane Christeller

Date: 9/4/01


Paul William Sutherland

Date: 12/4/01


Colleen Murray

Date: 9.4.01.


Ngaire Patricia Markwick

Date: 9-4-01


Bruce Allan Philip

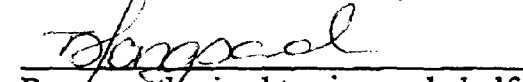
Date: 9/4/01


Louise Anne Malone

Date: 9/4/01


Elisabeth Phyllis June Burgess

Date: 26/4/01


Person authorized to sign on behalf of the Public
Trustee of New Zealand (executor for Margaret Mary Phung – deceased)

TAMMY SHERRIE FONGSAVANH
Trust Officer
Public Trust Central Service Centre