

06-01-2001

FORM PTO-1619A
Expires 06/30/99
OMB 0651-0027



U.S. Department of Commerce
Patent and Trademark Office
PATENT

101731978

**RECORDATION FORM COVER SHEET
PATENTS ONLY**

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- New
- Resubmission (Non-Recordation)
Document ID # _____
- Correction of PTO Error
Reel # _____ Frame # _____
- Corrective Document
Reel # _____ Frame # _____

05/01/01

Conveyance Type

- Assignment
- License
- Merger
- Security Agreement
- Change of Name
- Other _____

U.S. Government

(For Use ONLY by U.S. Government Agencies)

- Departmental File
- Secret File

1011 U.S. PTO
09/846758
05/01/01

Conveying Party(ies)

Mark if additional names of conveying parties attached

Name (line 1) Execution Date
Month Day Year

Name (line 2)

Second Party

Name (line 1) Execution Date
Month Day Year

Name (line 2)

09/846758

Receiving Party

Mark if additional names of receiving parties attached

Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

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.)

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

FOR OFFICE USE ONLY

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Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

05/01/01

PATENT
REEL: 011840 FRAME: 0130

Correspondent Name and Address

Area Code and Telephone Number

(650) 837-8223

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Pages

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

#

Application Number(s) or Patent Number(s)

Mark if additional numbers attached.

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

Patent Application Number(s)

Patent Number(s)

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

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 as not been assigned.

PCT <input type="text"/>	PCT <input type="text"/>	PCT <input type="text"/>
PCT <input type="text"/>	PCT <input type="text"/>	PCT <input type="text"/>

Number of Properties

Enter the total number of properties involved.

#

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$

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:

#

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.

Laleh Shayesteh, Reg. No. 47,937

Name of Person Signing



Signature

May 1, 2001

Date

**RECORDATION FORM COVER SHEET
CONTINUATION
PATENTS ONLY**

U.S. Department of Commerce
Patent and Trademark Office
PATENT

1011 U.S. PTO
09/846756
05/01/01

Conveying Party(ies)

Mark if additional names of conveying parties attached

Enter additional Conveying Parties

Execution Date
Month Day Year
04 26 2001

Name (line 1) Helena V. Mathews

Name (line 2)

Execution Date
Month Day Year
04 26 2001

Name (line 1) Jill Van Winkle

Name (line 2)

Execution Date
Month Day Year
04 26 2001

Name (line 1) Ry Wagner

Name (line 2)

Receiving Party(ies)

Mark if additional names of receiving parties attached

Enter additional Receiving Party(ies)

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.)

Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

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Patent and Trademark Office
PATENT

1011 U.S. PTO
09/846758
05/01/01

Conveying Party(ies)

Mark if additional names of conveying parties attached

Enter additional Conveying Parties

Name (line 1)	<input type="text" value="Sandra Peters"/>	Execution Date Month Day Year <input type="text" value="04"/> <input type="text" value="27"/> <input type="text" value="2001"/>
Name (line 2)	<input type="text"/>	
Name (line 1)	<input type="text" value="Stephanie Clendennen"/>	Execution Date Month Day Year <input type="text" value="04"/> <input type="text" value="26"/> <input type="text" value="2001"/>
Name (line 2)	<input type="text"/>	
Name (line 1)	<input type="text"/>	Execution Date Month Day Year <input type="text"/>
Name (line 2)	<input type="text"/>	

Receiving Party(ies)

Mark if additional names of receiving parties attached

Enter additional Receiving Party(ies)

Name (line 1)	<input type="text"/>	<input type="checkbox"/> 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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Address (line 2)	<input type="text"/>	
Address (line 3)	<input type="text"/> <input type="text"/>	
	City State/Country	Zip Code
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Address (line 2)	<input type="text"/>	
Address (line 3)	<input type="text"/> <input type="text"/>	
	City State/Country	Zip Code

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)			Patent Number(s)		
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ASSIGNMENT

WHEREAS we, Alex Liu, George Wadsworth, Helena V. Mathews, Jill Van Winkle, Ry Wagner, Sandra Peters, and Stephanie Clendennen, have previously entered into an agreement with Exelixis, Inc., South San Francisco, CA, to assign all our right, title and interest in and to any and all inventions made or conceived or reduced to practice during the course of our employment with Exelixis, and further agreed to execute additional assignment documents to assist Exelixis with respect to its proprietary rights, and wherein we, during the course of our employment with Exelixis Plant Sciences and/or Agritope Inc., predecessor of Exelixis Plant Sciences, have invented a SYSTEM FOR FUNCTIONAL GENE DISCOVERY IN PLANTS (hereinafter "Invention"), disclosed in United States provisional patent application no. 60/201,245, filed on May 1, 2000, and disclosed in a United States utility patent application and International PCT patent application, filed or to be filed on or about May 1, 2001.


WHEREAS Exelixis, Inc., 170 Harbor Avenue, P.O. Box 511, South San Francisco, California 94083-511 is desirous of obtaining an assignment document that indicates that Exelixis Plant Sciences, Inc., a wholly owned subsidiary of Exelixis, Inc. (collectively hereinafter referred to as assignee), has received all the right, title and interest to said Invention.

Now, therefore, and in consideration of our employment and compensation paid to us by assignee and other good and valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, we have assigned to said assignee and said assignee's legal representatives, successors and assigns, the entire right, title, and interest (a) in and to said application and said Invention; (b) in and to all rights to apply for foreign patents on said invention; (c) in and to any and all applications filed and any and all patents granted on said Invention in the United States or any foreign country, including each and every application filed and each and every patent granted on any application which is a division, substitution, continuation or nonprovisional 37 CFR 1.53(b) application of any of said applications; and (d) in and to each and every reissue or extensions of any of said patents; and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to the above-mentioned assignee agreeably with the terms of this agreement.

We hereby authorize the above-mentioned assignee or its legal representative to insert in this instrument the filing date and serial number of said application or any other information that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

We have conveyed to said assignee the entire right to make application in its own behalf for protection of said Invention in countries foreign to the United States and where expedient to claim under the International Convention or other international arrangement for any such application the date of the said United States application (or other application if any there be) in priority to other applications; and we have agreed that we will at any time upon request, without further or additional compensation or additional consideration, but at the expense of the said assignee, execute such additional assignments and other writings and do such additional acts as said assignee may deem necessary or desirable or perfect the assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, renewal, reissued or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or chose in action accruing as a result of such application or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of the assigns and legal representatives of both parties.

Date: 26 Mar/01

By: 
Alex Liu

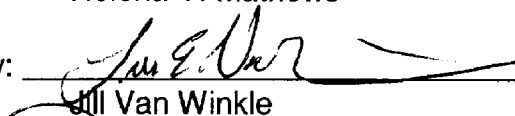
Date: 26 Apr 01

By: 
George Wadsworth

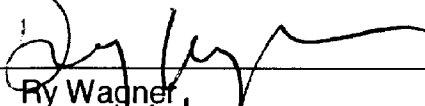
Date: 4/26/01

By: 
Helena V. Mathews

Date: 4/26/01

By: 
Jill Van Winkle

Date: 4/26/01

By: 
Ry Wagner

Date: 4/27/01

By: 
Sandra Peters

Date: 26 April 01

By: 
Stephanie Clendennen