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John K. Slaughter  
Timothy J. GerdtzAdditional name(s) of conveying  
party(ies) attached?☐ Yes ☒ No

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

Name: The Burchell Nursery, Inc.

Internal Address: \_\_\_\_\_

Street Address: 12000 Highway 120City: Oakdale State: CA Zip: 95361

## 3. Nature of conveyance:

MMD  
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- ☒
- Assignment
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- ☐
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- ☐
- Other \_\_\_\_\_

Execution Date: December 14, 2001Additional names(s) & address(es) attached: ☐ Yes ☒ No

## 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:  
December 14, 2001

## A. Patent Application No.(s):

10027862

## B. Patent No.(s)

Additional numbers attached: ☐ Yes ☒ NoAdditional numbers attached: ☐ Yes ☒ No5. Name and address of party to whom  
correspondence concerning document should be  
mailed:Name: George G. GrigelInternal Address: Wells, St. John, Roberts,Gregory & Matkin P.S.Street Address: 601 W. First Avenue, Ste. 1300City: Spokane State: WA Zip: 99201-38286. Total number of applications and  
patents involved: \_\_\_\_\_

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7. Total fee (37 CFR 3.41). . . . . \$ 40

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To the best of my knowledge and belief, the foregoing information is true and correct and any attached  
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Name of Person Signing

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## ASSIGNMENT

### PARTIES TO THE ASSIGNMENT:

#### Inventor:

Timothy J. Gerdtz  
2571 - 20th Avenue  
Kingsburg, CA 93631

John K. Slaughter  
677 W. Los Altos  
Clovis, CA 93612

#### Assignee:

The Burchell Nursery, Inc.  
Corporation of the State of California  
12000 Highway 120  
Oakdale, CA 95361

### BACKGROUND OF THIS ASSIGNMENT:

Inventors have conceived certain new and useful inventions disclosed in a United States patent application titled "**NECTARINE TREE, 'BURNECTFOUR'**". THE BURCHELL NURSERY, INC. (hereinafter referred to as "ASSIGNEE") desires to acquire the entire right, title and interest in said inventions and with respect to any Letters Patent that may be granted with respect to the inventions in both the United States and in all foreign countries.

### THE PARTIES AGREE AS FOLLOWS:

In consideration of good and valuable consideration, the receipt of which is hereby acknowledged, INVENTORS have sold, assigned and transferred to ASSIGNEE the full and exclusive right to said inventions in the United States and in all foreign countries.

INVENTORS do hereby sell, assign and transfer to ASSIGNEE the entire right, title and interest in the above-identified application executed concurrently with this assignment and to any reissues, divisions or continuations thereof, and hereby authorizes the Commissioner of Patents and Trademarks to issue such Letters Patent to ASSIGNEE for the sole use of ASSIGNEE, its successors or assigns.

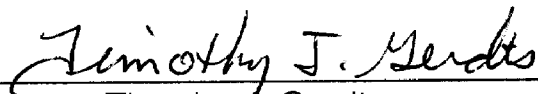
INVENTORS further agree to execute, at the request and expense of ASSIGNEE such other formal documents as may be required to fully convey the interest transferred herein and will similarly execute any applications papers required for the filing of any division, continuation or reissue of the patent application or resulting Letters Patent; and will generally do everything necessary or desirable to obtain and enforce proper protection for the inventions assigned hereby.

INVENTORS further assign to ASSIGNEE the whole right, title and interest in the inventions disclosed in the application throughout all countries foreign to the United States.


ASSIGNEE is hereby authorized to apply for patents relating to the inventions in its own name in countries where such procedure is proper; to claim the benefit of the International Convention; to file and prosecute International Applications relating to the inventions under the Patent Cooperation Treaty; and to file and prosecute applications relating to the inventions under the European Patent Convention. INVENTORS agree to execute applications relating to the inventions in those countries where it is necessary that the same be executed by the inventor, and to execute assignments of such applications and

the resulting Letters Patent to ASSIGNEE as well as all other necessary papers in relation to such applications and the resulting Letters Patent to ASSIGNEE as well as all other necessary papers in relation to such applications and Letters Patent.

Signed at Fresno, Ca. on  
Dec 14, 2001.

  
Timothy J. Gerdts

Signed at Fresno, CA on  
Dec 14, 2001.

  
John K. Slaughter