

RE 9-19-01

Docket No.: 113308-003

FORM PTO-1595 (Modified)  
(Rev. 03-01)  
OMB No. 0651-0027 (exp. 5/31/2002)  
P08A/REV03

02-04-2002

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office



1-22-02

101969209

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

1. Name of conveying party(ies):

**Dominique Brassart**  
**Veronique Jaussan**  
**Thomas Schweizer**  
**Thierry Brun**

Additional names(s) of conveying party(ies)  Yes  No

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

Name: Nestec S.A.

Address: Avenue Nestle 55

CH-1800 Vevey

City: \_\_\_\_\_ State/Prov.: \_\_\_\_\_

Country: Switzerland ZIP: \_\_\_\_\_

Additional name(s) & address(es)  Yes  No

3. Nature of conveyance:

- Assignment  Merger
- Security Agreement  Change of Name
- Other \_\_\_\_\_

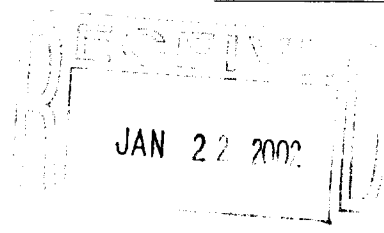
Execution Date: August 22, 23, 27 and 30, 2001

4. Application number(s) or patent numbers(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

Patent Application No.	Filing date
<u>09/857,996</u>	<u>September 14, 2001</u>
<u>Docket No. 113308-003</u>	

Document ID No.:  
**101853593**



Additional numbers  Yes  No

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

Name: Robert M. Barrett, Esq.  
Registration No. 30,142  
Address: P.O. Box 1135

02/01/2002 DBYRNE 00000100 09857996  
01 FC:581 40.00 OP  
City: Chicago State/Prov.: IL  
Country: \_\_\_\_\_ ZIP: 60690-1135

6. Total number of applications and patents involved: 1

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

- Enclosed - Any excess or insufficiency should be credited or debited to deposit account
- Authorized to be charged to deposit account

8. Deposit account number:

02-1818

(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.*

Robert M. Barrett (30,142)

December 18, 2001

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and

8

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

**PATENT**  
**REEL: 012523 FRAME: 0377**

FORM PTO-1595 (Modified)  
(Rev. 6-93)  
OMB No. 0651-0011 (exp. 4/94)  
Copyright 1994-97 LegalStar  
P08/REV02

SHEET

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

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

1. Name of conveying party(ies):

**Dominique Brassart  
Veronique Jaussan  
Thomas Schweizer  
Thierry Brun**

09/19/01

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

Name: Nestec S.A.

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

Street Address: Avenue Nestle 55

CH-1800 Vevey, Switzerland

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Additional names(s) of conveying party(ies)  Yes  No

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

3. Nature of conveyance:

- Assignment  Merger
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Execution Date: August 22, 23, and 30, 2001

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A. Patent Application No.(s)

App No. 09/857,996

Atty Docket No. 113308-003

B. Patent No.(s)

Additional numbers attached?  Yes  No

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

Name: Robert M. Barrett, Esq.

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

Street Address: P.O. Box 1135

City: Chicago State: IL ZIP: 60690

6. Total number of applications and patents involved:

1

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

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02-1818

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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.*

Robert M. Barrett (Reg. No. 30,142)

September 14, 2001

Name of Person Signing

Signature

Date

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

6

PATENT

## ASSIGNMENT

FOR and in consideration of One Dollar (\$1.00) to us in hand paid and other valuable considerations, the receipt and sufficiency whereof are hereby acknowledged and confessed, we, **Dominique Brassart; Veronique Jaussan; Thomas Schweizer; and Thierry Brun**, residing at **25, rue des Lavanieres, F-53940 Saint Berthevin, France; 82, rue Louis de Savoie, CH-1110 Morges, Switzerland; 3, chemin de la Viane, CH-1052 Le Mont-sur-Lausanne, Switzerland;** and **7, place de l'Eglise, F-14670 Saint Samson, France**, respectively, and citizens of **France; France; Switzerland; and France**, respectively, hereby sell, assign, transfer and set over unto **Nestec S.A.**, a corporation of **Switzerland**, having an office and place of business at **Avenue Nestle 55, CH-1800 Vevey, Switzerland**, the entire right, title and interest in and to our inventions in

### **"FIBER BLEND FOR ENTERAL COMPOSITION"**

prepared by the firm of Bell, Boyd & Lloyd LLC of Chicago, Illinois, and executed of even date herewith, said application being identified in the office records of said firm as Case No. **113308-003**, and in the United States Patent and Trademark Office as application no. **09/857,996** and to the United States Letters Patent therefor, when issued together with all improvements thereon and betterments thereof, all divisions, continuations and reissues thereof and substitutions of or for said application, and all foreign rights including the right to make application for Letters Patent for said inventions in any and all foreign countries and the right to claim priority as to the filing date under the International Convention on the basis for the aforesaid application for United States Letters Patent; and we hereby authorize and direct the Commissioner of Patents to issue the patent for said inventions, when granted, in accordance with this Assignment and sale.

For the same considerations, we hereby agree that we will promptly communicate to the aforesaid assignee or its assigns full and complete information concerning improvements or betterments of the inventions disclosed in said application, and we will cooperate at any time upon request of said assignee or its assigns, at its or their expense, in the procurement of patent protection to cover the inventions herein assigned and to be assigned, including the execution of new, divisional, continuing and reissue applications; we will make all rightful oaths, will testify in any proceedings in the United States Patent Office or in the Courts, and generally will do everything lawfully possible to aid said assignee, its successors, assigns, and nominees to obtain, enjoy and enforce proper patent protection for the inventions embraced within the terms of this document.

IN WITNESS WHEREOF, we have hereunto subscribed our name on:

Date: 30.8.2001

  
DOMINIQUE BRASSART

X

Before me personally appeared **Dominique Brassart** known to me to be the person who executed the foregoing instrument, and acknowledged the execution and delivery thereof, under her seal, for the uses and purposes therein set forth, on the day and year aforesaid.

BRASSART  
Witness

X

Date: \_\_\_\_\_

\_\_\_\_\_  
VERONIQUE JAUSSAN

Before me personally appeared **Veronique Jaussan** known to me to be the person who executed the foregoing instrument, and acknowledged the execution and delivery thereof, under her seal, for the uses and purposes therein set forth, on the day and year aforesaid.

\_\_\_\_\_  
Witness

Date: \_\_\_\_\_

\_\_\_\_\_  
THOMAS SCHWEIZER

Before me personally appeared **Thomas Schweizer** known to me to be the person who executed the foregoing instrument, and acknowledged the execution and delivery thereof, under his seal, for the uses and purposes therein set forth, on the day and year aforesaid.

\_\_\_\_\_  
Witness

IN WITNESS WHEREOF, we have hereunto subscribed our name on:

Date: \_\_\_\_\_  
DOMINIQUE BRASSART

Before me personally appeared **Dominique Brassart** known to me to be the person who executed the foregoing instrument, and acknowledged the execution and delivery thereof, under her seal, for the uses and purposes therein set forth, on the day and year aforesaid.

\_\_\_\_\_  
Witness

Date: 27/2/01 \_\_\_\_\_  
*[Signature]*  
VERONIQUE JAUSSAN

Before me personally appeared **Veronique Jaussan** known to me to be the person who executed the foregoing instrument, and acknowledged the execution and delivery thereof, under her seal, for the uses and purposes therein set forth, on the day and year aforesaid.

\_\_\_\_\_  
Witness *[Signature]*

Date: \_\_\_\_\_  
THOMAS SCHWEIZER

Before me personally appeared **Thomas Schweizer** known to me to be the person who executed the foregoing instrument, and acknowledged the execution and delivery thereof, under his seal, for the uses and purposes therein set forth, on the day and year aforesaid.

\_\_\_\_\_  
Witness

IN WITNESS WHEREOF, we have hereunto subscribed our name on:

Date: \_\_\_\_\_  
DOMINIQUE BRASSART

Before me personally appeared **Dominique Brassart** known to me to be the person who executed the foregoing instrument, and acknowledged the execution and delivery thereof, under her seal, for the uses and purposes therein set forth, on the day and year aforesaid.

\_\_\_\_\_  
Witness

Date: \_\_\_\_\_  
VERONIQUE JAUSSAN

Before me personally appeared **Veronique Jaussan** known to me to be the person who executed the foregoing instrument, and acknowledged the execution and delivery thereof, under her seal, for the uses and purposes therein set forth, on the day and year aforesaid.

\_\_\_\_\_  
Witness

Date: 22/08/01 \_\_\_\_\_  
*Thomas Schweizer*  
THOMAS SCHWEIZER

Before me personally appeared **Thomas Schweizer** known to me to be the person who executed the foregoing instrument, and acknowledged the execution and delivery thereof, under his seal, for the uses and purposes therein set forth, on the day and year aforesaid.

*Reinhold Fink*  
\_\_\_\_\_  
Witness  
Reinhold Fink

Date: 23/08/2001



THIERRY BRUN

Before me personally appeared **Thierry Brun** known to me to be the person who executed the foregoing instrument, and acknowledged the execution and delivery thereof, under his seal, for the uses and purposes therein set forth, on the day and year aforesaid.

VAAST virginie 23/08/2001

Witness





NOVEMBER 26, 2001

PTAS

Under Secretary of Commerce For Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
www.uspto.gov

ROBERT M. BARRETT, ESQ.  
PO BOX 1135  
CHICAGO IL 60690



\*101853593A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF NON-RECORDATION OF DOCUMENT

*DUE: 12-26-01*

DOCUMENT ID NO.: 101853593

THE ENCLOSED DOCUMENT HAS BEEN EXAMINED AND FOUND NON-RECORDABLE BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. THE REASON(S) FOR NON-RECORDATION ARE STATED BELOW. DOCUMENTS BEING RESUBMITTED FOR RECORDATION MUST BE ACCOMPANIED BY A NEW COVER SHEET REFLECTING THE CORRECT INFORMATION TO BE RECORDED AND THE DOCUMENT ID NUMBER REFERENCED ABOVE.

THE ORIGINAL DATE OF FILING OF THIS ASSIGNMENT DOCUMENT WILL BE MAINTAINED IF RESUBMITTED WITH THE APPROPRIATE CORRECTION(S) WITHIN 30 DAYS FROM THE DATE OF THIS NOTICE AS OUTLINED UNDER 37 CFR 3.51. THE RESUBMITTED DOCUMENT MUST INCLUDE A STAMP WITH THE OFFICIAL DATE OF RECEIPT UNDER 37 CFR 3. APPLICANTS MAY USE THE CERTIFIED PROCEDURES UNDER 37 CFR 1.8 OR 1.10 FOR RESUBMISSION OF THE RETURNED PAPERS, IF THEY DESIRE TO HAVE THE BENEFIT OF THE DATE OF DEPOSIT IN THE UNITED STATES POSTAL SERVICE.

SEND DOCUMENTS TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231. IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, YOU MAY CONTACT THE INDIVIDUAL WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.

1. THE COVER SHEET SUBMITTED DID NOT PROVIDE COMPLETE INFORMATION REQUIRED FOR RECORDING. THE EXECUTION DATE FOR VERONIQUE JAUSSAN WAS NOT INDICATED ON THE COVER SHEET.

TONYA LEE, EXAMINER  
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ATTY:           RMB            
DOCKET #:           113308-003