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03-21-2002

BOX ASSIGNMENTS



R 102026498  
PATENT APPLICATIONS AND PATENTS

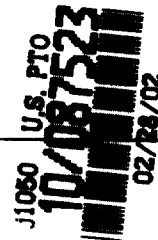
TO THE COMMISSIONER FOR PATENTS AND TRADEMARKS:

Sir: Please record the enclosed documents. *C*

1. NAME OF CONVEYING PARTY/IES:

- a. Robert D. Klein
- b. Thomas J. Brennan

*2-28-02*



2. PARTY(ASSIGNEE) RECEIVING INTEREST:

NAME: **Deltagen, Inc.**  
 ADDRESS: **740 Bay Road**  
**Redwood City, CA 94063**

3. NATURE OF CONVEYANCE: (Submit one document for recordation--multiple copies signed by different inventors is one document)

- Assignment of  Whole  Part interest
- Change of name  Patent Application
- Security  Merger  Other:

Execution date: 02/01/99

4. Pat. App. No.	Filing Date	DeltaGen Ref.			
09/193,834	HEREWITH	MES-01-CON2			

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

**Deltagen, Inc.**  
 740 Bay Road  
 Redwood City, CA 94063  
 Tel. (650) 569-5100  
 Fax (650) 569-5280

6. NUMBER INVOLVED:  
 Applns: 1 + Pats: 0 = TOTAL 1

7. Amount of fee enclosed: **\$40.00**

8. If fee is missing or inadequate, please charge insufficiency to: Deposit Account No. **50-1271**  
 Order No. **MES-01-CON2**

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.

*Mariette A. Lapi*

MARIETTE A. LAPIZ, Reg. No. 44,202

Date: FEBRUARY 28, 2002

10. Total pages including this cover sheet and document: 2

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**ASSIGNMENT  
JOINT**

THIS ASSIGNMENT, by Robert D. KLEIN and Thomas J. BRENNAN (hereinafter referred to as the assignors), residing at 1044 Webster Street, Palo Alto, California, 94301 and 325 Rockwood Drive, South San Francisco, California, 94080, respectively, witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in METHODS OF CREATING CONSTRUCTS USEFUL FOR INTRODUCING SEQUENCES INTO EMBRYONIC STEM CELLS, set forth in an application for Letters Patent of the United States, bearing Serial No. 09/193,834 and filed on November 17, 1998; and

WHEREAS, Deltagen, a corporation duly organized under and pursuant to the laws of the state of Delaware and having its principal place of business at 1031 Bing Street, San Carlos, California 94070 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

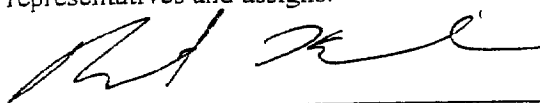
NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents does sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the sole and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

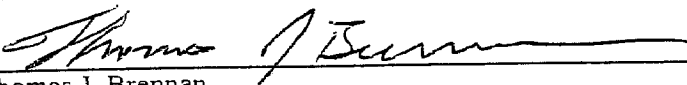
AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

2/1/99  
Date

  
\_\_\_\_\_  
Robert D. Klein

2/1/99  
Date

  
\_\_\_\_\_  
Thomas J. Brennan