

06-13-2002



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FORM PTO-1595 (modified)

102122233

HEET
S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

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

1. Name of conveying party:
HEINRICH WESTHOFF

Additional name(s) of conveying party(ies) attached?
NO

06/05/02

2. Name and address of receiving party:

Name: **JOSEF & HEINRICH WESTHOFF
GARTENBAU-SPEZIALKULTUREN**

Address: **FRESENHORST 22-24**

City: **SUDLOHN-OEDING**

Country: **GERMANY**

Additional name(s) and address(es) attached? **NO**

3. Nature of conveyance: **ASSIGNMENT**
Execution date: **DECEMBER 10, 2001**

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: **JUNE 5, 2002.**

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

Name: **CATHERINE ANNE WHEALY**

Address: **1513 MELODY LANE**

City: **ROANOKE**

State: **TEXAS**

Zip: **76262**

10/162998

6. Total number of applications and patents involved: **1**

7. Total fee (37 C.F.R. § 3.41)..... **\$40.00**

ENCLOSED

8. Deposit account number: **NONE**

DO NOT USE THIS SPACE

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.

CATHERINE ANNE WHEALY, Reg. No. 39,419
Name of Person Signing

Catherine Anne Whealy
Signature

JUNE 5, 2002
Date

Total number of pages including cover sheet, attachments, and document: **2**

31011 U.S. PTO
10/162998
06/05/02

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

06/11/2002 WABDELK1 00000048 10162998

02 FC:581 40.00 DP

PATENT
REEL: 012968 FRAME: 0659

ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, the undersigned, **HEINRICH WESTHOFF** (the "Assignor"), does hereby:


SELL, ASSIGN AND TRANSFER TO JOSEF & HEINRICH WESTHOFF GARTENBAU-SPEZIALKULTUREN (the "Assignee"), having a place of business at Fresenhorst 22-24, Sudlohn-Oeding, Germany, the entire right, title and interest for the United States in and to any and all improvements which are disclosed in the application for United States Letters Patent filed concurrently herewith and is titled **PETUNIA PLANT NAMED 'WESPEORP'**, such application and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States on any of such improvements, all original and reissued patents which have been or shall be issued in the United States on such improvements, and specifically including the right to claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof; and generally do everything possible which the Assignee shall consider desirable for vesting title to such improvements in the Assignee, and for securing, maintaining and enforcing proper patent protection for such improvements;

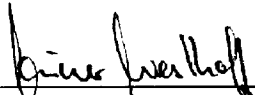
TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

Inventor's Signature: 
Name: HEINRICH WESTHOFF

Date: Dec., 10th, 2001

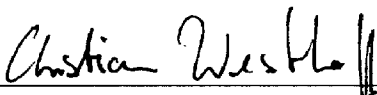
Place: 46394 Sudlohn

Before us, on this 10 th day of December, 2001, personally appeared **HEINRICH WESTHOFF**, known to us to be the person whose name is subscribed to the foregoing instrument and acknowledged to us that he executed the same of his own free will for the purposes and consideration therein expressed.

Witness: 

Name: Heiner Westhoff

Date: Dec., 10th, 2001

Witness: 

Name: Christian Westhoff

Date: Dec., 10th, 2001