

06-24-2002

Docket No.: 112843-036

FORM PTO-1563 (Modified)  
(Rev. 03-01)  
OMB No. 0651-0027 (exp. 5/31/2002)  
P08A/REV03



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U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Tab settings

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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):

Gudrun Schmidt  
Ralf Zink

6-19-02

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: 02/05/02; 15/04/02

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

B. Patent No.(s)

10/018,492 December 7, 2001

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

06/21/2002 6TOM11 00000236 10018492

01 FC:581 40.00 DP

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)

May 23, 2002

Name of Person Signing

Signature

3

Date

Total number of pages including cover sheet, attachments, and

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

PATENT  
REEL: 013003 FRAME: 0922

## ASSIGNMENT

WHEREAS, the undersigned, to wit: Gudrun Schmidt and Ralf Zink (hereinafter "ASSIGNORS"), are the lawful owners of an invention known as Docket No. 112843-036 and entitled: BACTERIAL PROTECTION, for which a patent application of the United States was filed on December 7, 2001 in the United States Patent and Trademark Office having Application Serial No. 10/018,492;

AND WHEREAS, NESTEC S.A. (hereinafter "ASSIGNEE"), a corporation duly organized and existing under the laws of Switzerland and having its principle office and place of business at Avenue Nestle 55, CH-1800 Vevey, Switzerland, desires to acquire the entire right, title, and interest therein;

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, said ASSIGNORS do hereby sell, assign, and transfer, and hereby set over unto ASSIGNEE, its successors, assigns and legal representatives, the full and exclusive right, title and interest to said invention in the United States of America and all foreign countries, including, without limitation, said invention as described in the aforesaid application, to be held and enjoyed by said ASSIGNEE, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by said ASSIGNORS had this assignment and sale not been made, including, without limitation, all rights to the aforesaid application and to any United States Letters Patent therefor, when issued together with all improvements thereon and betterments thereof, all related applications including, but not limited to, divisions, continuations, continuations-in-part, reissues and reexaminations 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, and ASSIGNORS hereby authorize and request the Commissioner of Patents to issue all Letters Patent issuing therefrom to ASSIGNEE, for its interest as ASSIGNEE, its successors, assigns and legal representatives.

ASSIGNORS hereby agree to execute any papers, provide any information and testify in any interference or litigation at the request of ASSIGNEE, its successors, assigns and legal representatives, when deemed essential to ASSIGNEE's, its successors', assigns' and legal representatives' full enjoyment, protection, enforcement and title in and to the invention and rights hereby transferred.

ASSIGNORS furthermore agree upon request of said ASSIGNEE, its successors, assigns and legal representatives, and without further remuneration, to execute any and all papers desired by said ASSIGNEE, its successors, assigns and legal representatives, for the filing and granting of foreign applications and the perfecting of title thereto in said ASSIGNEE, its successors, assigns and legal representatives.

Signature

Date Signed

Gudrun Schmidt

02.05.02

Name: Gudrun Schmidt

Address: Chemin De Bérée 56

CH-1010 Lausanne, Switzerland

Widukindstr. 11  
D-70327 Stuttgart, Germany

Before me personally appeared the person whose name is subscribed to the foregoing instrument, and executed the foregoing instrument in my presence for the purpose contained therein, by signing his/her name hereto.

Signature

Date Signed

Wolfgang Bissl

2/5/02

Signature

Date Signed

Ralf Zink

15/04/02

Name: Ralf Zink

Address: Chemin de la Maison Jean 36

CH-1801 Le Mont Pélerin, Switzerland

Before me personally appeared the person whose name is subscribed to the foregoing instrument, and executed the foregoing instrument in my presence for the purpose contained therein, by signing his/her name hereto.

Signature

Date Signed

Emmiella Benaou

16.04.2002