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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):

Mamoru TOMITA, Hirotoishi HAYASAWA, Toshio OHASHI,
Mitsunori TAKASE, Hirohiko NAKAMURA and
Koji SAYAMA

Additional name(s) of conveying party(ies) attached? Yes No

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

Name: MORINAGA MILK INDUSTRY CO., LTD.

Address: 33-1, Shiba 5-chome, Minato-ku,
Tokyo 108 JAPAN

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

3. Nature of Conveyance:

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

Execution Date: May 13, 1999

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:

A. Patent Application No.(s)

09/319,268

B. Patent No.(s)

Additional numbers attached? Yes No

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

6. Total applications and patents involved: 1

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

- Enclosed
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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.

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PATENT
REEL: 013150 FRAME: 0418

Assignment Of Application

Page 1 of 2

INSERT NAMES
AND RESIDENCE
ADDRESSES OF
THE INVENTORS:

WHEREAS, I (WE) ① Mamoru TOMITA, ② Hirotoshi HAYASAWA,
③ Toshio OHASHI, ④ Mitsunori TAKASE, ⑤ Hirohiko NAKAMURA,
and ⑥ Koji SAYAMA

①, ③ c/o FOOD RESEARCH & DEVELOPMENT LABORATORY OF
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⑥ c/o Nippon Beet Sugar MFG., Co., Ltd., Research Center,
Nishi 13, Minami 9 Sen, Inada-cho, Obihiro-shi,
Hokkaido 080 JAPAN

_____, respectively,

INSERT TITLE
OF INVENTION:

have invented certain new and useful improvements in: LACTOBACILLUS
BIFIDUS GROWTH PROMOTING COMPOSITION AND USE THEREOF,

INSERT DATE IN-
VENTORS SIGNED
DECLARATION:

for which an application for Letters Patent was executed on May 13, 1999
(Application No. 09/319,268, filed June 14, 1999), and

INSERT NAME
AND ADDRESS OF
COMPANY OR
OTHER ASSIGNEE:

WHEREAS, MORINAGA MILK INDUSTRY CO., LTD.
(hereinafter referred to as "ASSIGNEE") having a place of business at: 33-1,
Shiba 5-chome, Minato-ku, Tokyo 108 JAPAN,

is desirous of acquiring the entire right, title and interest in and to said invention and in and to any Letters Patent that may be granted therefore in the United States and its territorial possessions and in any and all foreign countries;

NOW, THEREFORE, in consideration of the sum of FIVE DOLLARS (\$5.00), the receipt whereof is hereby acknowledged, and for other good and valuable consideration, I (WE), by these presents do sell, assign and transfer unto said ASSIGNEE, the full and exclusive right to the said invention in the United States and its territorial possessions and in all foreign countries and the entire right, title and interest in and to any and all Letters Patent which may be granted therefor in the United States and its territorial possessions and in any and all foreign countries and in and to any and all divisions, reissues, continuations, substitutions and renewals thereof.

I (WE) hereby authorize and request the Patent Office Officials in the United States and its territorial possessions and any and all foreign countries to issue any and all of said Letters Patent, when granted, to said ASSIGNEE as the assignee of my (our) entire right, title and interest in and to the same, for the sole use and behoof of said ASSIGNEE, its (his) successors and assigns, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by me (us) had this Assignment and sale not been made.

Further, I (WE) agree that I (WE) will communicate to said ASSIGNEE or its (his) representatives any facts known to me (us) respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, substitute, renewal and reissue applications, execute all necessary assignment papers to cause any and all of said Letter Patent to be issued to said ASSIGNEE, make all rightful oaths, and, generally do everything possible to aid said ASSIGNEE, its (his) successors and assigns, to obtain and enforce proper protection for said invention in the United States and its territorial possessions and in any and all foreign countries.

The undersigned hereby grant(s) the firm of Oblon, Spivak, McClelland, Maier & Neustadt, P.C. of Fourth Floor, 1755 Jefferson Davis Highway, Arlington, Virginia 22202 the power to insert on this assignment any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

Date: <u>May 13</u> , 1999	<u>Mamoru Tomita</u> (Signature of Inventor) Mamoru TOMITA
Date: <u>May 13</u> , 1999	<u>Hirotooshi Hayasawa</u> (Signature of Inventor) HIROTOSHI HAYASAWA
Date: <u>May 13</u> , 1999	<u>Toshio Ohashi</u> (Signature of Inventor) TOSHIO OHASHI
Date: <u>May 13</u> , 1999	<u>Mitsunori Takase</u> (Signature of Inventor) MITSUNORI TAKASE
Date: <u>May 13</u> , 1999	<u>Hirohiko Nakamura</u> (Signature of Inventor) HIROHIKO NAKAMURA
Date: <u>May 13</u> , 1999	<u>Koji Sayama</u> (Signature of Inventor) KOJI SAYAMA
Date: _____	_____ (Signature of Inventor)
Date: _____	_____ (Signature of Inventor)

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