Date Biols dot up benotice)         To the Honorable Commissioner of Pat         1. Name of conveying party(ies):         Harad Brussow         Roberto Reniero         Josettings         Josettings         Additional names(s) of conveying party(ies):         Additional names(s) of conveying party(ies)         Josettings         Additional names(s) of conveying party(ies)         Josettings         Additional names(s) of conveying party(ies)         Josetting Agreement         Change of Name         City:         Security Agreement         Change of Name         Security Agreement solution the namber(s):         If this document is being filed together with a ne				Docket No	.: 112843-041	
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Roberto Reniero       ISATAS         Jasette Sidoti       ISATAS         Additional names(s) of conveying party(les)       I ves X No         CH-1800 Vevey         3. Nature of conveyance:         X Assignment       I Merger         Security Agreement       Change of Name         Other       Country: Switzerland       Z         Execution Date:       7/2/2002; 7/29/2002; 7/4/2002       Additional name(s) & address(es)         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)         10/049.368       May 9, 2002         Additional numbers       Ves XI No         S. Name and address of party to whom correspondence concerning document should be mailed:       6. Total number of applications and pate credited or debited to deposit acc actified or my knowledge and belief, the foregoing information is true and correct and any attached of the spage if paying total number of appes information is true and correct and any attached of the digital document.         Name:       Robert M. Barrett (30,142)       Augu         Statement and signatu			2. Name an	d address of receiv	ving party(ies):	
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St Assignment       Merger         Security Agreement       Change of Name         Other       Country: Switzerland       Z         Execution Date:       7/2/2002; 7/29/2002; 7/4/2002       Additional name(s) & address(es)         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)         10/049.368       May 9, 2002         Additional numbers       Yes St No         5. Name and address of party to whom correspondence concerning document should be mailed:       6. Total number of applications and pate         Name:       Robert M. Barrett, Esq.       7. Total fee (37 CFR 3.41):S         Registration No.       30,142       Secount number:         Address:       P.O. Box 1135       Authorized to be charged to deposit account number:         02:1818       Country:       ZIP: 60690-1135       (Attach duplicate copy of this page if paying the barget if paying the barget if paying the barget if address of the original document.         Name of Person Signing       Signature       Augu	Iditional names(s) of conveying party(ies)	🗋 Yes 🛛 No		CH-1800 Vevey		
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REEL: 013224 FRAME: 0198

## ASSIGNMENT

WHEREAS, the undersigned, to wit: <u>Harald Bruessow, Roberto Reniero</u> and <u>Josette</u> <u>Sidoti</u> (hereinafter "ASSIGNORS"), are the lawful owners of an invention known as Docket No. <u>112843-041</u> and entitled: <u>BIFIDOBACTERIA CAPABLE OF PREVENTING DIARRHEA</u>, for which a patent application of the United States was filed on <u>February 1, 2002</u> in the United States Patent and Trademark Office having Application Serial No. <u>10/049,368</u>;

AND WHEREAS, <u>NESTEC S.A.</u> (hereinafter "ASSIGNEE"), a corporation duly organized and existing under the laws of <u>Switzerland</u> and having its principle office and place of business at <u>Avenue Nestle 55</u>, <u>CH-1800 Vevey</u>, <u>Switzerland</u>, 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.

Page 1 of 3

PATENT REEL: 013224 FRAME: 0199 Signature

and Name: Harald Buressow

Address: Ch. de la Chaumeny 13 1814 La Tour-de Peilz, 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
there	02-07-2002
Signature	Date Signed
Ater Th	29/8/2002
Name: Roberto Reniero	
Address: <u>24, ch. Paudille</u> <u>1801-Le Mont Pelerin, Switzerland</u>	28, rue Charles Dubreuil F-14590 Moyaux, France

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

29/07/02

PATENT REEL: 013224 FRAME: 0200

Date Signed

50-40-50

Signature

Name: Josette Sidoti

Address: <u>Route du Lac 24</u> 1094 Paudex, Switzerland Date Signed

C4.07.02

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

Conqueta Genord

Date Signed

2002-07-04

Page 3 of 3

PATENT REEL: 013224 FRAME: 0201

**RECORDED: 08/27/2002**