

10-24-2002



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Express Mail No. EV 074517211 US

Attorney Docket Number : 88265-6611

TO THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS Box Assignment Washington, DC 20231

10.10.02

Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Stefan BODENSTAB (executed 8/21/02)

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

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

NESTEC S.A. Avenue Nestlé 55 CH-1800 Vevey SWITZERLAND

3. Nature of conveyance:

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

Execution Date:

4. Application number(s) or patent number(s): 10/225,723, filed August 21, 2002

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s) B. Patent No.(s)

Additional numbers attached? Yes No

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

WINSTON & STRAWN CUSTOMER NO. 28765

6. Number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00 Please charge to the deposit account listed in Section 8.

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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.

Allan A. Fanucci Reg. No. 30,256

Signature: Allan A. Fanucci

Date: 10/10/02

Total number of pages including cover sheet:

3

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

10/24/2002 6TON11 00000076 501814 10225723 01 FC:8021 40.00 CH

88265-6611

ASSIGNMENT

WHEREAS, I,

Stefan BODENSTAB, a citizen of Germany residing at
Le Jordil 222, CH-1775, Mannens, Switzerland.

is the inventor of the invention in: **PROCESS FOR THE PREPARATION OF MILK POWDER**, for which I have executed an application for a Patent of the United States

- which is identified by docket No. 88265-6611
 which was filed _____ as Application No. _____

and WHEREAS, NESTEC S.A., a Swiss corporate body having a place of business at Avenue Nestlé 55, CH-1800 Vevey, Switzerland, ASSIGNEE is desirous of obtaining my entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said ASSIGNOR, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, my entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof;

AND I HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument;

AND I HEREBY covenant and agree that I have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith;

AND I HEREBY further covenant and agree that I will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, and reissue applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal the day and year set opposite my signature.

Date 21-Aug-2002, 2002 J. Bodenstab 21-8-02
Stefan BODENSTAB

On 21-Aug-2002, 2002, before me, Susan Petrus, Witness,
appeared **Stefan BODENSTAB**, to me known and known to me to be the person of that name,
who signed the foregoing instrument, and acknowledged the same to be his/her free act and deed.

Date 21-Aug, 2002 Susan Petrus
Witness