

02-27-03

D#

Express Mail Number: EL 501 745 358 US

03-06-2003



IEET

Attorney Docket Number  
8170-059-999

TO THE

102382108

Box Assignment  
Washington, DC 20231

...ENTS AND TRADEMARKS

Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Bruce D. Mowrey  
Larry T. Kodama  
JoAnne Coss

2-26-03

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

Name: Driscoll Strawberry Associates, Inc.

Address: 345 Westridge Drive

Watsonville, California 95076

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

3. Nature of conveyance:

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

Country (if other than USA): \_\_\_\_\_

Execution Date: January 15, 2003

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) 10/295,644

B. Patent No.(s) \_\_\_\_\_

Additional numbers attached?  Yes  No

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

PENNIE & EDMONDS LLP  
1155 Avenue of Americas  
New York, N.Y. 10036-2711

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.

8. Deposit account number:  
16-1150

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.*

*Rory J. Radding by Joseph Cahill Reg no. 51,583*

February 26, 2003

Rory J. Radding

Reg. No. 28,749

Signature

Date

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

03/06/2003 EDOOPER 00000079 161150 10295644

01 FC:0021

40.00 CH

ASSIGNMENT

WHEREAS, WE, **Bruce D. Mowrey**, residing at 266 Webb Road, Watsonville, California 95076; **Larry T. Kodama**, residing at 220 Carnation Drive, Freedom, California 95076; and **JoAnne Coss**, residing at 217 Katherine Avenue, Salinas, California 93901 ("ASSIGNORS"), are the inventors of the invention in **STRAWBERRY PLANT NAMED 'DRISCOLL MARIN'** for which we have executed an application for a Patent of the United States

- which is executed on  even date herewith or  \_\_\_\_\_ (date)
- which is identified by Pennie & Edmonds LLP docket no. 8170-059-999
- which was filed on November 15, 2002, Application No. 10/295,644

and WHEREAS, Driscoll Strawberry Associates, Inc., having an address of 345 Westridge Drive, Watsonville, California 95076 ("ASSIGNEE"), is desirous of obtaining our 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 us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, 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, our 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 all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to 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 WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we 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, reissue and foreign 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 all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

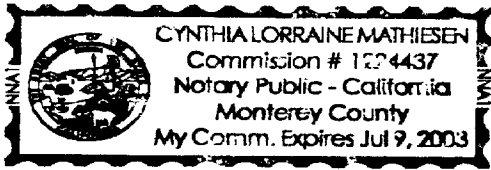
*Jan. BDM*  
Date Feb. 15, 2003

*Bruce D. Mowrey*  
\_\_\_\_\_  
Bruce D. Mowrey L.S.

State of California )  
County of Monterey ) SS.:

On January 15, 2003, before me, Cynthia L Mathiesen, Notary Public, personally appeared **Bruce D. Mowrey**, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal  
*Cynthia Lorraine Mathiesen*



Date Jan 24<sup>th</sup> 2003

Larry T. Kodama  
Larry T. Kodama

L.S.

State of California )  
County of Monterey ) SS.:

On January 24, 2003, before me, Cynthia L. Mathiesen, Notary Public, personally appeared **Larry T. Kodama**, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

Cynthia Lorraine Mathiesen



Date Jan 15, 2003

JoAnne Coss  
JoAnne Coss

L.S.

State of California )  
County of Monterey ) SS.:

On January 15, 2003, before me, Cynthia L. Mathiesen, Notary Public, personally appeared **JoAnne Coss**, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

Cynthia Lorraine Mathiesen

