

PATENT ASSIGNMENT

Electronic Version v07

Stylesheet Version v02

SUBMISSION TYPE:

NEW ASSIGNMENT

NATURE OF CONVEYANCE:

ASSIGNMENT OF ASSIGNOR'S INTEREST

CONVEYING PARTY DATA

Name	Execution Date
Monsanto Company and/or Monsanto Technology, LLC	2002-11-20

RECEIVING PARTY DATA

Name	Street Address	Internal Address	City	State/Country	Postal Code
Flamel Technologies, S.A.	Avenue du Docteur Georges Levy	Parc Club du Moulin a Vent, 33	Venissieux Cedex	FRANCE	69693

PROPERTY NUMBERS Total: 1

Property Type	Number
Patent Number	6500783

CORRESPONDENCE DATA

FAX NUMBER: 202-371-2540

*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*

When the customer number has been provided, the Office of Public Records will obtain the correspondence data from the official record on file at the USPTO.

CUSTOMER NUMBER: 026111

NAME OF PERSON SIGNING:

John M. Covert

DATE SIGNED:

2003-08-07

Total Attachments: 7

source=2000.0090001.tif1.tif

source=2000.0090001.tif2.tif

source=2000.0090001.tif3.tif

source=2000.0090001.tif4.tif

source=2000.0090001.tif5.tif

source=2000.0090001.tif6.tif

source=2000.0090001.tif7.tif

OP \$40.00 6500783

PATENT

800007581

REEL: 013852 FRAME: 0409

## **PATENT ASSIGNMENT**

**WHEREAS** Monsanto Company ("Monsanto"), a Delaware corporation with its principal place of business at 800 North Lindbergh Boulevard, St. Louis, Missouri 63167, and/or Monsanto Technology, LLC ("Monsanto Technology"), an affiliate of Monsanto and a Delaware limited liability corporation with its principal place of business at 800 North Lindbergh Boulevard, St. Louis, Missouri 63167 is the owner of all right, title, and interest in and to the patent applications listed on attached Exhibit A ("the Applications");

**WHEREAS** Monsanto and Flamel Technologies, S.A. ("Flamel"), a corporation organized under the laws of France, having its principal place of business at Parc Club du Moulin à Vent, 33, avenue du Docteur Georges Levy, 69693, Venissieux Cédex, France, entered into an agreement effective December 30, 1997, whereby Monsanto agreed to assign the Applications to Flamel in the event that Monsanto no longer intended to prosecute or maintain the Applications;

**WHEREAS** Monsanto has decided that it no longer intends to prosecute or maintain the Applications; and

**WHEREAS** Flamel, pursuant to the December 30, 1997 agreement, is entitled to acquire all of Monsanto's and Monsanto Technology's right, title and interest in and to the Applications;

**NOW, THEREFORE**, in consideration of the sum of One U.S. Dollar (\$1.00) and other good and valuable consideration, the receipt of all of which is hereby acknowledged by Monsanto and Monsanto Technology:

1. Monsanto and Monsanto Technology hereby sell, assign, and transfer to Flamel, its successors and assigns, all of Monsanto's and Monsanto Technology's right, title, and interest in and throughout the world in and to the Applications listed on attached Exhibit A, including provisional, non-provisional, divisional, continuing, or reissue applications based in whole or in part on any and all inventions disclosed therein, and any and all patents which have been or may be granted on any of the Applications or on said inventions or any part thereof ("Patents"). This assignment to Flamel expressly includes Monsanto's and Monsanto Technology's full right to sue for and recover all damages recoverable for past infringement of the Applications and the Patents, all of which is to be held and enjoyed by Flamel, its successors and assigns, as fully and

entirely as the same would have been held and enjoyed by Monsanto and Monsanto Technology had no assignment of the Applications and Patents been made;

2. Monsanto hereby agrees for itself, its parent, subsidiaries, affiliates, successors and assigns, to execute without further consideration any further lawful documents and any further assurances, and any provisional, non-provisional, divisional, continuing, reissue, or other applications for patents of any country, that may be deemed necessary by Flamel fully to secure to Flamel its interest in and to said Patent Applications or any part thereof;

3. Monsanto hereby warrants and represents for itself, its parent, subsidiaries, affiliates, successors and assigns that: (i) Monsanto has not granted to any third party any exclusive or non-exclusive right or license to practice or use the inventions embodied in the Applications or Patents; (ii) prior to the execution of this Agreement Monsanto has not sold, conveyed, transferred, assigned (by operation of law or otherwise), pledged or otherwise encumbered any of the Applications or Patents; and (iii) Monsanto has not executed any instrument or entered into any agreement in conflict herewith.

IN WITNESS WHEREOF, Monsanto and Monsanto Technology have caused this Assignment to be executed by a duly authorized representative on the date shown below.

MONSANTO COMPANY

By: George R. Beck  
George R. (Name) Beck  
Assistant General Counsel  
(Title)  
November 20, 2002  
(Date)

MONSANTO TECHNOLOGY, LLC

By: Grace L. Bonner  
(Name)  
Intellectual Property Counsel  
(Title)  
Nov. 20, 2002  
(Date)

FLAMEL TECHNOLOGIES  
Gerard Saulon  
President - CEO  
November 20, 2002<sup>2</sup>

Grace L. Bonner,  
Intellectual Property Counsel  
Authorized to sign this document for  
Monsanto Technology LLC  
by action of sole member,  
dated March 15, 2001.

ACKNOWLEDGMENT

STATE OF Missouri )  
 )  
COUNTY OF St. Louis )

On this 20<sup>th</sup> day of November, 2002, before me, a Notary Public, personally appeared George R. Beck to me known to be the authorized representative of Monsanto Company described herein and who executed the foregoing Assignment on behalf of Monsanto Company and acknowledged that he/she is authorized to execute same and did so as his/her free act and deed.

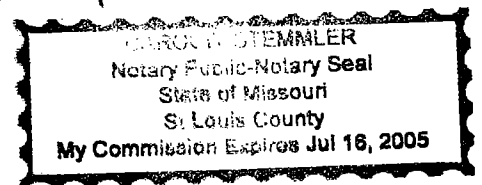
IN TESTIMONY WHEREOF, I have hereby set my hand and seal the date and year last above written.

Carol D. Stemmler

Notary Public

My Commission Expires:

July 16, 2005



ACKNOWLEDGMENT

STATE OF Missouri )

)

COUNTY OF St. Louis )

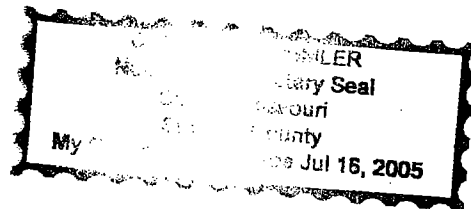
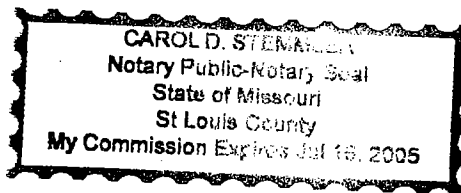
On this 20<sup>th</sup> day of November, 2002, before me, a Notary Public, personally appeared GRACE L. Bonner to me known to be the authorized representative of Monsanto Technology, LLC, described herein and who executed the foregoing Assignment on behalf of Monsanto Technology, LLC, and acknowledged that he/she is authorized to execute same and did so as his/her free act and deed.

IN TESTIMONY WHEREOF, I have hereby set my hand and seal the date and year last above written.

Carol D. Stemmler

Notary Public

My Commission Expires: July 16, 2005



# Exhibit A – Patent Applications

Patent Family Title: Process and Compositions Promoting Biological Effectiveness of  
Exogenous Chemical Substances in Plants (Monsanto #39-21(3670))

Country	Serial No.	Status	Action Needed
United States	09105639	Abandoned	N/A
United States	09275731	Abandoned	N/A – Need to file Petition to Revive
United States	60113954	Perfected	Expired
Argentina	P980103076	Pending	Published
Argentina	P990106758	Pending	Examination due December 23, 2002
Australia	8265498	Pending	Divisional filed – Examination due October 2007
Australia	2201700	Pending	N/A
Brazil	PI98106325	Pending	Published
Brazil	PI99165732	Pending	Examination due December 17, 2002
Canada	2295002	Pending	Examination due June 2003
Canada	2356556	Pending	Examination due December 2004
China	988083698	Pending	Published
China	998163392	Pending	N/A
Europe	989328661	Allowed	Granted – Grant fees and claims translations due February 2003
Europe	999664998	Pending	N/A
France	9708371	Pending	N/A
Indonesia	W20000154	Pending	N/A
Indonesia	W00200101617	Pending	Examination due December 17, 2002
India	200100862CHE	Pending	N/A
Japan	50573099	Pending	Examination due June 2005
Japan	2000590479	Pending	Examination due December 2006
Malaysia	PI9802892	Pending	N/A
Malaysia	PI99005649	Pending	Examination due December 21, 2002
Mexico	PAA2000000163	Pending	Published
Mexico	PAA2001006571	Pending	N/A
New Zealand	501839	Allowed	Awaiting Notice of Allowance
New Zealand	512245	Pending	Acceptance August 2003 – Outstanding Office Action
Phillippines	1199801614	Pending	Published
Phillippines	1199903285	Pending	Examination requested – pending
Thailand	044637	Pending	Published – Examination due

Country	Serial No.	Status	Action Needed
			November 2004
Thailand	054719	Pending	N/A
Taiwan	87110382	Pending	N/A
Taiwan	88122780	Pending	N/A
South Africa	985625	Issued	N/A
South Africa	20014632	Pending	N/A

---

Patent Family Title: Process and Compositions Promoting Biological Effectiveness of Exogenous Chemical Substances in Plants (Monsanto #39-21(3759))

Country	Serial No.	Status	Action Needed
United States	09451283	Allowed	Awaiting issuance
United States	60110212	Perfected	Expired
Argentina	Not Known	Abandoned	N/A
Australia	2159800	Pending	N/A
Brazil	PI99157888	Pending	Examination being requested – pending
Canada	2352099	Pending	Examination due November 2004
Europe	984202200	Abandoned	N/A
Europe	999659311	Pending	N/A
New Zealand	511854	Pending	Acceptance due June 2003; Office Action response due December 2002
PCT	PCTUS9928218 WO0032045	National Stage	N/A

---

Patent Family Title: Process and Compositions Promoting Biological Effectiveness of  
Exogenous Chemical Substances in Plants (Monsanto #39-21(3669))

Country	Serial No.	Status	Action Needed
United States	09087758	Final Rejection	Responded – awaiting examiner's response
Argentina	P980102502	Pending	N/A
Australia	7707298	Issued	N/A
Brazil	PI98091930	Pending	N/A
Canada	2292430	Pending	Examination due May 2003
Europe	989250337	Allowed	Granted – Grant fees and claims translations due January 2003
France	9706917	Issued	N/A
Malaysia	PI9802410	Pending	N/A
New Zealand	501367	Issued	N/A
Philippines	1199801358	Pending	N/A
Thailand	044115	Pending	Examination due August 2005
Taiwan	87108478	Pending	N/A
South Africa	984656	Issued	N/A

Patent Family Title: Process and Compositions Promoting Biological Effectiveness of  
Exogenous Chemical Substances in Plants (Monsanto #39-21(3671))

Country	Serial No.	Status	Action Needed
United States	09124318	Issued	N/A
Argentina	P980103729	Pending	N/A
Australia	8598098	Issued	N/A
Canada	2297749	Pending	Examination due July 2003
Europe	994200251	Pending	N/A
Europe	989372149	Allowed	Text approved – Grant fees and claims translations due February-March 2003
France	9709983	Pending	N/A
Hong Kong	001074624	Pending	N/A
Malaysia	PI98003464	Pending	N/A
New Zealand	502499	Issued	N/A
Philippines	1199801936	Pending	N/A
Thailand	045241	Pending	Examination due December 2004
Taiwan	87112566	Pending	N/A
South Africa	986838	Issued	N/A