

03-27-2003

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TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

3-13-03

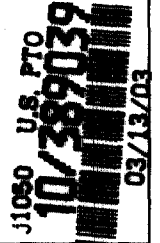
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Conveyance Type

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

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- Document File
- Secret File



Conveying Party(ies)

Name (line 1) Robert Osteen PIERCE
 Name (line 2)
 Second Party
 Name (line 1)
 Name (line 2)

- Mark if additional names of conveying parties attached
- Execution Date 03/07/2003

Receiving Party

Name (line 1) Goldsmith Seeds, Inc.
 Name (line 2)
 Address (line 1) P.O. Box 1349
 Address (line 2)
 Address (line 3) Gilroy, California 95021

- Mark if additional names of conveying parties attached
- If document to be recorded is an assignment and the receiving party is not domiciled in the U.S., an appointment of domestic representative is attached.

10389039

Domestic Representative Name and Address

Enter for the First Receiving Party only.

Name: Robert J. Jondle
 Address (line 1): Jondle & Associates, PC
 Address (line 2): 9085 E. Mineral Circle
 Address (line 3): Suite 200
 Address (line 4): Centennial, CO. 80112

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Correspondent Name and Address

Area Code and Telephone Number: 303/799-6444

Name: Robert J. Jondle
Address (line 1): Jondle & Associates, PC
Address (line 2): 9085 E. Mineral Circle
Address (line 3): Suite 200
Address (line 4): Centennial, CO. 80112**Pages** Enter the total number of pages of the attached conveyance document including any attachments

1

Application Number(s) or Patent Number(s) Mark if additional numbers attached*Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property)*

Patent Application Number(s):

Patent Number(s):

If this document is being filed together with a new Patent Application, enter the date of the patent application was signed by the first named executing inventor.03/07/2003**Patent Cooperation Treaty (PCT)**Enter PCT application Number
only if a U.S. Application Number
has not been assigned**Number of Properties**

Enter the total number of properties involved. 1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$40.00

Method of Payment: Enclosed Deposit Account Credit Card

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number: 02-2135

Authorization to charge additional fees: Yes No **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. Charges to deposit account are authorized, as indicated herein.***

Robert J. Jondle, Reg. No. 33,915

Name of Person Signing

Signature

March 13, 2003

Date

ASSIGNMENT

WHEREAS, I, ROBERT OSTEEN PIERCE, a citizen of the United States, residing at 405 Carmel Street, Watsonville, California 95076, am the inventor of an invention in CALIBRACHOA PLANT NAMED 'CAL YEL= for which I have executed an application for Letters Patent of the United States, of even date herewith; and

WHEREAS, GOLDSMITH SEEDS, INC., incorporated in the state of California, with a place of business at P. O. Box 1349, Gilroy, California 95021, is desirous of obtaining the 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 ROBERT OSTEEN PIERCE have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said GOLDSMITH SEEDS, INC., its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said invention, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all applications for Letters Patent which may hereafter be filed for said invention in any country or countries foreign to the United States, and all Letters Patent 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 all rights of priority in any such country or countries based upon the filing of the said application for Letters Patent of the United States which are created by any law, treaty or international convention; and I hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said invention to the said GOLDSMITH SEEDS, INC., its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I HEREBY covenant 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 said GOLDSMITH SEEDS, INC., its successors, legal representatives and assigns, any facts known to me 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 GOLDSMITH SEEDS, INC., its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said invention in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 7th day of March, 2003.



ROBERT OSTEEN PIERCE