

05-29-2003

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Atty. Docket No. 4491-4002

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2003 MAY 27 PM 3:25 The Honorable Commissioner of Patents and Trademarks:

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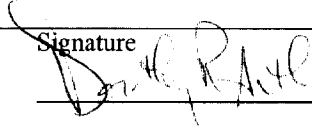
FINANCE SECTION

<p>1. Name of conveying party(ies):</p> <p><b>German Carlos Spangenberg</b> <b>Angela Jane Lidgett</b></p> <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>2. Name and address of receiving party(ies):</p> <p>Name: <b>Dairy Research and Development Corporation</b> Address: Level 3 84 William Street Melbourne, Victoria 3000 Australia</p> <p><b>Molecular Plant Breeding Nominees Ltd.</b> Waite Building Waite Campus PMB 1, Glen Osmond South Australia 5064 Australia</p> <p>Additional name(s) &amp; addresses attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>3. Nature of conveyance:</p> <p><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Other</p> <p>Execution Date(s): May 12, 2003</p>	<p>4. Patent Application number(s)</p> <p>10/333,091</p> <p>Filing Date(s): January 14, 2003</p>
<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: Dorothy R. Auth, Esq. Address: Morgan &amp; Finnegan, L.L.P. 345 Park Avenue New York, New York 10154 (212) 758-4800</p>	<p>6. Total number of applications involved: 1</p> <p>7. Total fee (37 CFR 3.41): \$40.00</p> <p><input checked="" type="checkbox"/> A check in the amount of \$40.00 is enclosed. <input type="checkbox"/> Charge to Deposit Account No.13-4500, Order No. . <input checked="" type="checkbox"/> Charge any deficiencies to Deposit Account 13-4500, Order No. 4491-4002. (A duplicate copy of this sheet is enclosed)</p>

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8. 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 original document.

<p>Name of Person Signing</p> <p><b>Dorothy R. Auth</b></p>	<p>Signature</p> 	<p>Date:</p> <p>May 22, 2003</p>
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PATENT  
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**ASSIGNMENT OF PATENT APPLICATION  
NON - U.S. APPLICANT**

WHEREAS, THE UNDERSIGNED INVENTORS, (hereinafter singly and collectively, "ASSIGNORS") of the addresses indicated below, have invented the Invention described in an application entitled:

**Modification of Plant Resistance to Diseases and/or Pests**

for Letters Patent of the United States which:

has been executed on even date herewith;

was filed as U.S. Serial No. 10/333,091 filed on 14 January 2003

AND WHEREAS

**Dairy Research and Development Corporation**

which is a statutory corporation incorporated under the laws of the Commonwealth of Australia, having a principal place of business at:

Level 3, 84 William Street, Melbourne, Victoria, 3000, Australia

and

**Molecular Plant Breeding Nominees Ltd**

which is a company incorporated under the Corporations Law of Australia, having a principal place of business at:

Waite Building, Waite Campus, PMB 1, Glen Osmond, South Australia 5064, Australia

(hereinafter both referred to as the "ASSIGNEES"), is desirous of acquiring an Interest therein;

NOW, THEREFORE for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, ASSIGNORS by these presents does sell, assign and transfer unto ASSIGNEES, its successors, assigns and legal representatives, the full and exclusive right to the aforesaid patent application, and the Invention as described in the aforesaid application, in the United States, together with any divisions, continuations, continuations-in-part, reissues, or re-examinations thereof, and hereby authorise(s) and request(s) the Commissioner of Patents to issue Letters Patent issuing therefrom to ASSIGNEES, for the sole use and benefit of ASSIGNEES, its successors, assigns and legal representatives:

The ASSIGNORS also hereby sells and assigns to said ASSIGNEES, its successors, assigns and legal representatives the full and exclusive rights, title and interest to the invention disclosed in said application throughout the world, including the right to file applications and obtain patents, utility models, industrial models, designs and equivalents for said invention in its own name throughout the world including all rights of priority, all rights to publish cautionary notices reserving ownership of said invention and all rights to register said invention in appropriate registries; and

The ASSIGNORS further agrees to execute any and all powers of attorney, applications, assignments, declarations, affidavits, and any other papers in connection therewith necessary to perfect such rights, title and interest in ASSIGNEES, its successors, assigns and legal representatives.

The ASSIGNORS hereby further agrees to communicate with said ASSIGNEE, or its successors, assigns and legal representatives, any facts known to us respecting any improvements; and, at the expense of said ASSIGNEES, to testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, continuation-in part, reissue and substitute applications, make all lawful oaths, and generally do everything possible to vest title in said ASSIGNEES and to aid said ASSIGNEES, its successors, assigns and legal representatives to obtain and enforce proper protection for said invention in all countries.

The ASSIGNORS hereby authorize and request our attorney, Morgan & Finnegan, L.L.P., of 345 Park Ave., New York, NY 10154, United States of America, or its agents, the power to insert on this assignment further identification, including but not limited to application number(s) and filing dates, when known, which may be necessary or desirable in order to comply with any rule or request of the United States Patent and Trade Mark Office for the purposes of recording this document.

EXECUTED as of the date(s) written below by ASSIGNORS:

Date: 12/05/2003

[Handwritten Signature]  
Signature

[Handwritten Signature]  
Witness Signature

Jutta Navel  
Witness Name

Inventor's name: German Carlos Spangenberg  
Inventor's address: 56 Arthur Street, Bundoora, Vic 3083, Australia

Date: 12/05/2003

[Handwritten Signature]  
Signature

[Handwritten Signature]  
Witness Signature

Miriam Ehrenkrantz  
Witness Name

Inventor's name: Angela Jane Lidgett  
Inventor's address: 13 Moore Street, Richmond, Vic 3121, Australia