

RE

09-17-2003



EET

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
BAH 101.3 US  
(7513/89752)

To the Honorable Commissioner of

102553380

ached original documents or copy thereof.

1. Name of conveying party(ies):  
Randal Hauptmann, Blair L. Winner, and Alan D. Blowers  
Additional name(s) of conveying party(ies) attached?  Yes  No

2. Name and Address of receiving party(ies)  
Name: Ball Horticultural Company  
Internal Address: \_\_\_\_\_  
\_\_\_\_\_

3. Nature of conveyance: *9-15-03*  
 Assignment  Merger  
 Security Agreement  Change of Name  
 Other \_\_\_\_\_  
Execution Date: 6/10/2003 and 6/17/2003

Street Address 622 Town Road  
City: West Chicago State: IL ZIP 60185  
Additional name(s) & address(es) attached?  Yes  No

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: May 29, 2003  
A. Patent Application No.(s)  
U.S. Ser. No. 10/447,769,  
Additional numbers attached?  Yes  No

B. Patent No.(s)  
*2003 SEP 15 11 10 AM '03*  
*OPT/RECORDING*

5. Name and address of party to whom correspondence concerning document should be mailed:  
Name: Shannon L. Nebolsky  
Internal Address: \_\_\_\_\_  
\_\_\_\_\_  
Street Address: 120 South Riverside Plaza  
22<sup>nd</sup> Floor  
City: Chicago State: IL ZIP: 60606

6. Total number of applications and patents involved: 1  
7. Total fee (37 CFR 3.41) ..... \$ 40.00  
 Enclosed  
 Authorized to be charged to deposit account  
8. Deposit account number:  
23-0920  
(Attach duplicate copy of this page if paying by deposit account)

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.

Shannon L. Nebolsky  
Name of Person Signing

*Shannon L. Nebolsky*  
Signature

9/11/2003  
Date

Total number of pages including cover sheet, attachments, and document: 5

Mail documents to be recorded with required cover sheet information  
Mail Stop Assignment Recordation Services, Director of the U.S. Patent and Trademark Office, Box 1450, Alexandria, VA 22313-1450

09/16/2003 LNUELLER 00000217 10447769

01 FC:0021

40.00 DP

# Assignment

Serial No. 10/447,769

Filed May 29, 2003

WHEREAS:

Randal Hauptmann, residing at 458 Burr Oak Drive, Oswego, Illinois 60543, and Alan D. Blowers, residing at 4N589 Arrowhead Drive, St. Charles, Illinois 60175, both United States citizens (hereinafter referred to as ASSIGNORS), have invented and own a certain invention entitled:

***Tagetes erecta* MARIGOLDS WITH ALTERED CAROTENOID COMPOSITIONS AND RATIOS**

for which application for Letters Patent of the United States has been executed on June 17, 2003 and August 26, 2003, and

WHEREAS:

Ball Horticultural Company, having a place of business at 622 Town Road, West Chicago, Illinois 60185 (hereinafter referred to as ASSIGNEE), is desirous of acquiring the entire interest in, to and under said invention and the United States Letters Patent to be obtained therefor:

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:

Be it known that in consideration of the payment by ASSIGNEE TO ASSIGNORS of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration, ASSIGNORS hereby sell, assign and transfer to ASSIGNEE the full and exclusive right, title and interest to said invention and all Letters Patent of the United States to be obtained therefor on said application or any continuation, division, renewal, substitute or reissue thereof and in and to all Letters Patent and all Convention and Treaty rights of all kinds, in all countries throughout the world for said invention for the full term or terms for which the same may be granted.

ASSIGNORS covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent as may be known and accessible to ASSIGNORS and will testify as to the

same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain and enforce said rights, said application, said invention and said Letters Patent which may be necessary or desirable to carry out the purposes hereof.

IN WITNESS WHEREOF, we have hereunto set our hand and seal this day of \_\_\_\_\_

Date 6-17-03

Randal Hauptmann  
Randal Hauptmann

Date 6/17/03

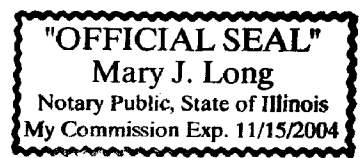
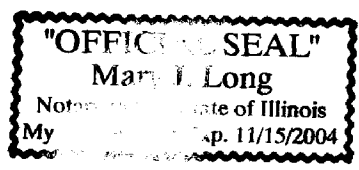
Alan D. Blowers  
Alan D. Blowers

STATE OF ILLINOIS     )  
  )  
COUNTY OF                    )

I hereby certify that Randal Hauptmann and Alan D. Blowers, before me personally appeared and acknowledged that the foregoing assignment was duly signed, sealed and delivered by them as their free and voluntary act on this 17<sup>th</sup> day of JUNE, 2003.

(SEAL)

Mary J. Long  
Notary Public  
My Commission expires 11-15-04



# Assignment

Serial No. 10/447,769

Filed May 29, 2003

WHEREAS:

Blair L. Winner, residing at 9086 Neath St., Ventura, California 93004, a United States citizen (hereinafter referred to as ASSIGNOR), has invented and owns a certain invention entitled:

***Tagetes erecta* MARIGOLDS WITH ALTERED CAROTENOID COMPOSITIONS AND RATIOS**

for which application for Letters Patent of the United States has been executed on June 17, 2003 and August 26, 2003, and

WHEREAS:

Ball Horticultural Company, having a place of business at 622 Town Road, West Chicago, Illinois 60185 (hereinafter referred to as ASSIGNEE), is desirous of acquiring the entire interest in, to and under said invention and the United States Letters Patent to be obtained therefor:

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:

Be it known that in consideration of the payment by ASSIGNEE TO ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration, ASSIGNOR hereby sells, assigns and transfers to ASSIGNEE the full and exclusive right, title and interest to said invention and all Letters Patent of the United States to be obtained therefor on said application or any continuation, division, renewal, substitute or reissue thereof and in and to all Letters Patent and all Convention and Treaty rights of all kinds, in all countries throughout the world for said invention for the full term or terms for which the same may be granted.

ASSIGNOR covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent as may be known and accessible to ASSIGNOR and will testify as to the same in any interference or litigation related thereto and will

promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain and enforce said rights, said application, said invention and said Letters Patent which may be necessary or desirable to carry out the purposes hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 17<sup>th</sup> day of June, 03.

Date 6-10-03

Blair L. Winner  
Blair L. Winner

STATE OF CALIFORNIA )  
COUNTY OF Ventura )

I hereby certify that Blair L. Winner before me personally appeared and acknowledged that the foregoing assignment was duly signed, sealed and delivered by him as his free and voluntary act on this 10<sup>th</sup> day of June, 03

(SEAL)

Nicole Lopez  
Notary Public  
My Commission expires 4-2005

