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

2. Name of Conveying Party(ies) and Execution Date(s) of Document(s) ☐ Check here if additional name(s) attached

Name(s): (1) Santosh Misra and William W. Kay  
(2) University of Victoria

11-20-03

Execution Date(s): September 24, 2001

3. Name and address of receiving party

☐ Check here if additional name(s) & address(es) are attached

Name (1) University of Victoria

(2) University of Victoria Innovation and Development Corporation

Address Box 3075 R-Hut, McKenzie Avenue

City Victoria, BC

State/Country CANADA

Zip V8W 3W2

4. Nature of Conveyance

☒ Assignment ☐ Merger ☐ Security Agreement ☐ Name Change ☐ Other:

5. Total number of applications and patents involved: one

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6. Total Fee Enclosed (37 C.F.R. § 3.41): \$40.00

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8. Enter either the Execution date (of the Declaration and Power of Attorney), Application Number, or the Patent Number. Do not enter more than one number for the same patent.

A. ☒ This document is being filed with a new application. Execution date is: September 12, 2001B. ☐ Patent Application No.(s) or Patent No.(s):☐ Check here if additional numbers are attached

9. Correspondent's name, address, and telephone number

Sheree Lynn Rybak, Ph.D.  
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10. ☒ Please return the attached postcard to confirm that these items have been received.11. 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.*

Sheree Lynn Rybak, Ph.D.

Name of Person Signing

Signature

November 20, 2003

Date

cc: Docketing

PATENT  
REEL: 014737 FRAME: 0715

## ASSIGNMENT

This is an assignment of rights from Santosh Misra and William W. Kay to the University of Victoria, British Columbia, and from the University of Victoria to the University of Victoria Innovation and Development Corporation.

WHEREAS, Santosh Misra and William W. Kay have invented an invention entitled TRANSGENIC PLANTS THAT ARE RESISTANT TO A BROAD SPECTRUM OF PATHOGENS for which the following patent applications have been filed:

U.S. application no. 60/125,072, filed March 17, 1999;

International application no. PCT/CA00/00288, filed March 16, 2000;

U.S. application no. 09/936,885, filed September 17, 2001; and

WHEREAS, University of Victoria has certain rights in this invention and desires to assign its rights in the invention to the University of Victoria Innovation and Development Corporation;

NOW, THEREFORE, in consideration of good and valuable consideration, the receipt of which is hereby acknowledged:

1. Santosh Misra and William W. Kay hereby sell, assign, and transfer to the University of Victoria, the full and exclusive right, title, and interest in and to said invention, patent application and patent rights throughout the world, including patent priority rights, the right to file and prosecute International Applications under the Patent Cooperation Treaty, and the right to file and prosecute applications under the European Patent Convention; said invention, application and all resulting letters patent in the U.S., Canada or any other country, and all division, continuations, substitutes, reissues, reexaminations, and extensions thereof, to be held and enjoyed by the University of Victoria, for its own use and benefit, and for its successors and assigns to the full end of the term for which letters patent may be granted in the U.S. or any other

country, as fully and entirely as the same would have been held by them had this assignment and sale not been made, and covenant that they have full right to do so, and agree that they will communicate to the University of Victoria, or its successors or assigns, any facts known to them 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 do everything possible to aid the University of Victoria, its successors and assigns to obtain and enforce proper patent protection for said invention in this or any other country.

2. The University of Victoria hereby accepts the assignment of rights in this invention from Santosh Misra and William W. Kay.

3. The University of Victoria hereby assigns and transfers all rights in and to said invention, application, patent rights and letters patent, including those rights acquired from Santosh Misra and William W. Kay by this Assignment, to the University of Victoria Innovation and Development Corporation.

4. The University of Victoria Innovation and Development Corporation hereby accepts the assignment of rights in this invention from the University of Victoria.

We hereby grant the law firm of Klarquist Sparkman, LLP, the power to insert on this Assignment any further information which may be necessary or desirable in order to comply with all applicable legal requirements, including the rules of the United States Patent and Trademark Office, for submitting and recording this document.

Executed at VICTORIA, Canada, this 24<sup>th</sup> day of Sept, 2001.

Santosh Misra  
Santosh Misra

Witnessed by [Signature]

Name (Print) Bruce Sternik

Date Sept 24/2001

Executed at Victoria, Canada, this 24<sup>th</sup> day of Sept., 2001.

William W. Kay  
William W. Kay

Witnessed by Santosh Misra

Name (Print) SANTOSH MISRA

Date 24<sup>th</sup> Sept- 01

Executed at VICTORIA, Canada, this 24<sup>th</sup> day of September, 2001.

UNIVERSITY OF VICTORIA

By: Santosh Misra  
Name (Print) SANTOSH MISRA  
Title: Director

Witnessed by William Kay  
Name (Print) DR. WILLIAM KAY  
Date Sept. 24<sup>th</sup> 2001

Executed at VICTORIA, Canada, this 24 day of  
September, 2001.

The University of Victoria Innovation and Development Corporation hereby accepts the  
assignment of rights in this invention.

UNIVERSITY OF VICTORIA INNOVATION  
AND DEVELOPMENT CORPORATION

By: X Tim L. Walzak  
Tim L. Walzak, President and CEO

Witnessed by Brent Stennik  
Name (Print) BRENT STENNICK  
Date September 24 / 2001