

03-04-2004

RE
FORM PTO-1595 (modified)



EET
DEPARTMENT OF COMMERCE
Patent and Trademark Office

102684253

To the Honorable Commissioner of Patents and Trademarks:
Please record the attached original documents or copy thereof.

1. Name of conveying party:
HEINRICH WESTHOFF
2-21-04
Additional name(s) of conveying party(ies) attached? **NO**

2. Name and address of receiving party:
Name: **JOSEF und HEINRICH WESTHOFF
GARTENBAU-SPEZIALKULTUREN**
Address: **FRESENHORST 22-24**
City: **SÜDLOHN**
Country: **GERMANY**
Additional name(s) and address(es) attached? **NO**

3. Nature of conveyance: **ASSIGNMENT**
Execution date: **JULY 2, 2003**

10783350

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: **FEBRUARY 21, 2004.**

5. Name and address of party to whom correspondence concerning document should be mailed:
Name: **CATHERINE ANNE WHEALY**
Address: **P.O. BOX 220**
City: **TOLAR**
State: **TEXAS**
Zip: **76476**

6. Total number of applications and patents involved: **1**

7. Total fee (37 C.F.R. § 3.41)..... **\$40.00**

ENCLOSED

8. Deposit account number: **NONE**

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.

CATHERINE ANNE WHEALY, Reg. No. 39,419
Name of Person Signing

Catherine Anne Whealy
Signature

FEB. 21, 2004
Date

Total number of pages including cover sheet, attachments, and document: **2**

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Mail documents to be recorded with required cover sheet information to:
Mail Stop Assignment Recordation Services, Director of Patents & Trademarks, Alexandria, Virginia 22313-1450

PATENT
REEL: 015021 FRAME: 0395

ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, the undersigned, **HEINRICH WESTHOFF** (the "Assignor"), does hereby:

SELL, ASSIGN AND TRANSFER TO JOSEF und HEINRICH WESTHOFF GARTENBAU-SPEZIALKULTUREN (the "Assignee"), having a place of business at Fresenhorst 22-24, Südlohn, Germany, the entire right, title and interest for the United States in and to any and all improvements which are disclosed in the application for United States Letters Patent filed concurrently herewith and is titled **CALIBRACHOA PLANT NAMED 'WESCAICE'**, such application and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States on any of such improvements, all original and reissued patents which have been or shall be issued in the United States on such improvements, and specifically including the right to claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof; and generally do everything possible which the Assignee shall consider desirable for vesting title to such improvements in the Assignee, and for securing, maintaining and enforcing proper patent protection for such improvements;

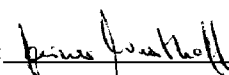
TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

Inventor's Signature: 
Name: HEINRICH WESTHOFF

Date: 02/07.03

Place: D-46354 Fülloden

Before us, on this 2 th day of July, 2003, personally appeared **HEINRICH WESTHOFF**, known to us to be the person whose name is subscribed to the foregoing instrument and acknowledged to us that he executed the same of his own free will for the purposes and consideration therein expressed.

Witness: 

Witness: _____

Name: Heiner Westhoff

Name: Maria Westhoff

Date: 02.07.03

Date: 02.07.03