



102702886

March 19, 2004

Attorney Docket No. 5175-155

To the Honorable Commissioner of Patents

Please record the attached original documents or copy thereof:

1. Name of conveying party(ies):

(1) Edward W. Gross  
(2) Phillip N. Strayer

FINANCE SECTION

3/19/04

Additional name(s) of conveying party(ies) attached? Yes  No

2. Name and address of receiving party(ies):

EMBREX, INC.  
1040 Swabia Court,  
Durham, North Carolina 27703  
United States

FINANCE SECTION

Additional name(s) & address(es) attached? Yes  No

3. Nature of conveyance:

Assignment  
 Merger  
 Security Agreement  
 Change of Name  
 Other

Execution Date:  
(1) October 22, 2003  
(2) October 21, 2003

4. Application Serial No. 10/686,762; Patent No. \_\_\_\_\_

If this document is being filed together with a new application, the execution date of the application is:  
Additional numbers attached? Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

**Needham James Boddie, II**  
Myers Bigel Sibley & Sajovec, P.A.  
P. O. Box 37428  
Raleigh NC 27627  
USPTO Customer No. 20792

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: 50-0220

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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.*

**Needham James Boddie, II, Reg. No. 40,519**

Name of Person Signing

*NJBoddie II*  
Signature

March 19, 2004

Date

Total number of pages including cover sheet, attachments and document: 3

**CERTIFICATE OF EXPRESS MAILING**

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Date of Deposit: **March 19, 2004**

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.110 on the date indicated above and is addressed to: Mail Stop Assignment Recordation Services, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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03/23/2004 METRICH 0000110 10686762 40.00 OP 01 FC-0021

**ASSIGNMENT**

THIS ASSIGNMENT, made by us, **Edward W. Gross**, a citizen of the United States of America, residing at 4617 Pemberton Drive, Raleigh, North Carolina; and **Phillip N. Strayer**, a citizen of the United States of America, residing at 6808 Tavernier Court, Apex, North Carolina;

WITNESSETH: That,

WHEREAS, we are joint inventors of certain new and useful improvements in **METHODS AND APPARATUS FOR SUPPORTING EGGS DURING *IN OVO* INJECTION** for which an application for United States Letters Patent has been filed on October 16, 2003 as Application No. 10/686,762 (We hereby authorize Myers Bigel Sibley & Sajovec to insert application serial number when known); and

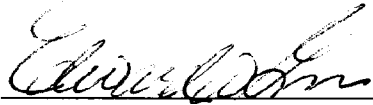
WHEREAS, **EMBREX, INC.**, a North Carolina corporation having a principal place of business at 1040 Swabia Court, Durham, North Carolina 27703, hereinafter referred to as assignee, is desirous of acquiring the entire right, title and interest in and to said invention as described in said application, and in and to any and all Letters Patent which shall be granted therefor in the United States of America and all foreign countries;

NOW, THEREFORE, To Whom It May Concern, be it known that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we have sold and by these presents do hereby sell, assign, transfer, and convey unto the said assignee, its successors and assigns, the entire right, title, and interest in and to the said invention and application, and in and to any and all continuations, continuations-in-part, or divisions thereof, and in and to any and all Letters Patent of the United States of America and all foreign countries or reissues or other forms of protection thereof which may be granted therefor or thereon, for the full end of the term for which said Letters Patent may be granted along with any term extensions thereon or therefor, together with the right to claim the priority of said application in all foreign countries in accordance with the International Convention, the same to be held and enjoyed by said assignee, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made.

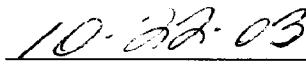
We hereby request that said Letters Patent be issued in accordance with this assignment.

We further covenant and agree that, at the time of the execution and delivery of these presents, we possess full title to the invention and application above-mentioned, and that we have the unencumbered right and authority to make this assignment.

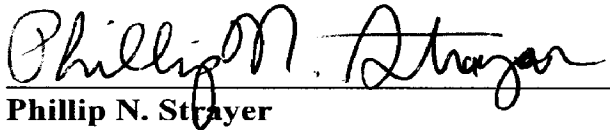
We further covenant and agree to promptly communicate to said assignee or its representatives any facts known to us relating to said invention, to testify in any interference or legal proceedings involving said invention, to execute any additional papers which may be requested to confirm the right of the assignee, its representatives, successors, or assigns to secure patent or similar protection for the said invention in all countries and to vest in the assignee complete title to the said invention and Letters Patent, without further compensation, but at the expense of said assignee, its successors, assigns, and other legal representatives; and we hereby instruct, and further covenant and agree to bind our heirs, legal representatives, and assigns, to do same, without further compensation, but at the expense of said assignee or its representatives.



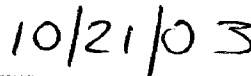
**Edward W. Gross**



Date



**Phillip N. Strayer**



Date