

RECORDATION FORM COVER SHEET PATENTS ONLY

Attorney Docket U 010273-9

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof
(with signed English translation if needed).

1. Name of conveying party(ies):

1. FLETCHER CHALLENGE FORESTS INDUSTRIES LIMITED
- 2.
- 3.

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

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

Name: RUBICON FORESTS HOLDINGS LIMITED

Address: Level 6, Microsoft House
7-9 Fanshawe Street
Auckland, New Zealand

Additional name(s) & addresses(es) attached?

☐ Yes ☒ No

3. Nature of conveyance:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Assignment | <input type="checkbox"/> Merger |
| <input type="checkbox"/> Security Agreement | <input type="checkbox"/> Change of Name |
| <input type="checkbox"/> Other _____ | <input type="checkbox"/> Change of Address
(old address above) |

Execution Date(s): 1. 29 January 2002
2.
3.

4. Application number(s) or patent number(s)

☐ Being filed together with a new application.

☐ Patent Application No.(s):

☒ Patent No.(s): 5,672,503

Additional numbers attached? ☐ Yes ☒ No

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

Name: William R. Evans

Address: Ladas & Parry LLP
26 West 61st Street
New York, N.Y. 10023
(fax) (212) 246-8959

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41) 1 @ \$40.00 each

☐ Check Enclosed

☒ Authorized to be charged in whole or in part to:

8. Deposit account number: 12-0425

DO NOT USE THIS SPACE

9. Signature:

William R. Evans
Name of Person Signing

Signature

September 9, 2004
Date

Total number of pages including coversheet, attachments, and documents:

15

CH \$40.00 120425 5672503

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PATENT
(Assignment (Document) Cover Sheet—page 2 of 2) 16-6
REEL: 015116 FRAME: 0072

Australia, Canada, International, Japan, Malaysia,
Mexico, New Zealand, Philippines, South Africa,
USA, Venezuela

Deed of Assignment

relating to

Intellectual Property Rights and Patents

Fletcher Challenge Forests Industries Limited
as Assignor

and

Rubicon Forests Holdings Limited
as Assignee

Date *29 January* **2002**

This Deed of Assignment is made on the 29th day of January 2002

between (1) **Fletcher Challenge Forests Industries Limited** (previously known as Fletcher Challenge Forests Limited) of 8 Rockridge Avenue, Penrose, Auckland, New Zealand (the **Assignor**)

and (2) **Rubicon Forests Holdings Limited** of Level 6, Microsoft House, 7-9 Fanshawe Street, Auckland, New Zealand (the **Assignee**)

Introduction

- A. By agreement dated as of 23 March 2001 (the **Sale and Purchase Agreement**) the Assignor agreed to sell and the Assignee, as the nominated purchaser of Rubicon Limited, agreed to purchase the Assignor's interest in certain intellectual property rights, including patent rights, more particularly specified in the Sale and Purchase Agreement to the extent to which the Assignor obtains consent to such assignment where such consent is necessary for the assignment to take place. Under the terms of the Sale and Purchase Agreement, the Assignor has agreed to use its best endeavours to obtain the consent to the assignment of the Assignor's interest in those intellectual property and patent rights to the Assignee where such consent is necessary for the assignment to take place.
- B. The parties wish to enter into this Deed to record and effect the assignment of the Assignor's interest in the intellectual property and patent rights from the Assignor to the Assignee.

It is agreed

1. Definitions

In this Deed, unless the context otherwise requires:

Assets has the meaning assigned to it in the Sale and Purchase Agreement;

Business has the meaning assigned to it in the Sale and Purchase Agreement;

Effective Date means 23 March 2001;

Intellectual Property Rights means all the Assignor's interest in all patents, patent applications, inventions including any inventions the subject of the Patents (later defined), technical information (whether registered or not), discoveries, ideas, underlying or proprietary data, research results, reports, research or experimental procedures or protocols, drawings, techniques, specifications, standards, methods, formulae, models, and other know-how including genes, databases, clones, plant variety rights, transformation and propagation technology, whether patented or not, and any copyright material in the foregoing, in each case used in the Business (as defined) or in relation to the Assets (as defined) and including without limitation the expressed sequence tag (**EST**) database for commercial forestry species focused on *Pinus radiata* and *Eucalyptus grandis*; and

Patents means the Assignor's interest in the patents and patent applications listed in Schedule 1 and any patent granted upon the patent applications.

2. Assignment

To the extent that the Assignor obtains consent to the assignment where such consent is necessary for the assignment to take place and in consideration of the payment by the Assignee to the Assignor of good and valuable consideration (the receipt of which is hereby acknowledged) on the Effective Date the Assignor assigns to the Assignee, its successors and assigns:

- (a) its entire right, title and interest in and to the Intellectual Property Rights and Patents;
- (b) all rights of the Assignor, if any, to lodge any further applications for patents or other industrial or intellectual property protection in any jurisdiction in respect of any inventions and developments and/or improvements on the inventions;
- (c) all of the rights, powers, privileges and immunities of the Assignor arising or accrued from any inventions or Patents or any other industrial or intellectual property right which may be granted on, or claimed priority from, any of the applications referred to in clause 2(b); and
- (d) all rights, if any, that the Assignor has to take action against third parties for infringement of any of the Patents or any patents granted on any of the patent applications referred to in clause 2(b), whether or not such infringement took place prior to the date of this Deed.

3. Execution of documents

The Assignor will, in respect of the Intellectual Property Rights and Patents in New Zealand and any other country:


- (a) use its best endeavours (in accordance with its obligations under clause 9.8 of the Sale and Purchase Agreement) to obtain the consent of any co-owner(s) of the Intellectual Property Rights and Patents to the assignment of its interest in the Intellectual Property Rights and Patents to the Assignee, in the event that such consent is required;
- (b) execute all documents and do all acts reasonably necessary to assist the Assignee in applying for and obtaining of any intellectual property protection;
- (c) execute all documents and do all acts reasonably necessary to vest any intellectual property protection in the Assignee; and
- (d) execute all documents and do all acts reasonably necessary to enable enforcement of any intellectual property protection.

Execution

Executed as a deed

(1) Assignor

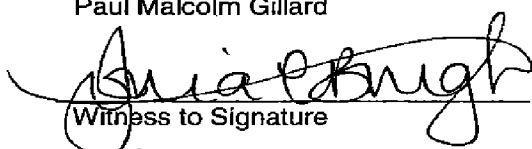
Executed by Fletcher Challenge
Forests Industries Limited by



Authorised Signatory
Paul Malcolm Gillard

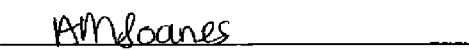


Authorised Signatory
John Anthony Dell



Witness to Signature
Tonia Clare Brugh

Print Name



Witness to Signature
Alaina Muriel Soanes

Print Name

Solicitor

Occupation

Student

Occupation

Auckland

Address

50E Trentham Rd, RD4, Hamilton

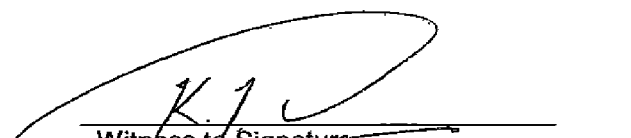
Address

(2) Assignee

Executed by Rubicon Forests
Holdings Limited by



Director
Simon Luke Moriarty



Witness to Signature
Katherine Lis Milne

Print Name

Solicitor

Occupation

Auckland, New Zealand

Address

Schedule 1: Patents

Australia

Title	Number	Date	Status
Plant Growth Establishment and Agents for Use Therein	665993	10.4.92	Granted
Material and Methods for the Modification of Plant Lignin Content	733,388	10.9.97	Granted
Material and Methods for the Modification of Plant Lignin Content	57,975/01	10.9.97	Application
Materials and Methods for the Modification of Plant Lignin Content	10836/00	6.10.99	Application
Materials and Methods for the Modification of Plant Cell Wall Polysaccharides	10837/00	8.10.99	Application
Methods for Producing genetically Modified Plants, Plant Materials and Plant Products Produced Thereby	61270/99	15.9.99	Application
Materials and Methods for the Modification of Isoprenoid Content, Composition and Metabolism	19001/00	16.12.99	Application
Compositions and Methods for the Modification of Gene Transcription	36205/00	9.3.2000	Application
Compositions Affecting Programmed Cell Death and Their Use in the Modification of Forestry Plant Development	528/00	2.6.2000	Application
Compositions and Methods for the Modification of Gene Expression	27024/00	24.2.2000	Application
Plant Microsatellite Markers and Methods for their use	48,061/99	25.6.1999	Application

Canada

Title	Number	Date	Status
Materials and Methods for the Modification of Plant Lignin Content	234490	6.10.99	Application

Materials and Methods for the Modification of Plant Cell Wall Polysaccharides	2345046	8.10.99	Application
Methods for Producing genetically Modified Plants, Plant Materials and Plant Products Produced Thereby	2341781	15.9.99	Application
Materials and Methods for the Modification of Isoprenoid Content, Composition and Metabolism	2353910	16.12.99	Application
Compositions and Methods for the Modification of Gene Transcription	Pending	9.3.2000	Application
Compositions Affecting Programmed Cell Death and Their Use in the Modification of Forestry Plant Development	Pending	2.6.2000	Application
Compositions and Methods for the Modification of Gene Expression	Pending	24.2.2000	Application
Plant Microsatellite Markers and Methods for their use	2331338	25.6.1999	Application
Materials and Methods for the modification of plant cell wall polysaccharides	2345046		Application
Materials and Methods for the modification of isoprenoid content, composition and metabolism	2353910		Application
Compositions and Methods for the modification of gene transcription	Not yet known		
Compositions and Methods for the modification of gene expression	Not yet known		
Compositions affecting programmed cell death and their use in the modification of forestry plant development	Not yet known		

International

Title	Number	Date	Status
Lignin modification	PCT/NZ99/00168	6.10.99	Application
Cell wall cellulose modification	PCT/NZ99/00169	8.10.99	Application
Transformation	PCT/NZ99/00155	15.9.99	Application
Terpenoids	PCT/NZ99/00219	16.12.99	Application

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Deed of Assignment relating to Intellectual Property Rights and Patents - Australia, Canada, International, Japan, Malaysia, Mexico, New Zealand, Philippines, South Africa, USA, Venezuela.

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PATENT

REEL: 015116 FRAME: 0078

Title	Number	Date	Status
Lignin modification	PCT/NZ97/00112; WO98/11205	10.9.97	Application
Compositions and Methods for the Modification of Gene Expression	PCT/NZ01/00115	20.6.2001	Application
Cellulose modification	PCT/CA97/00631		

Japan

Title	Number	Date	Status
Materials and Methods for the Modification of Plant Lignin Content	10-513535	10.9.97	Application
Materials and Methods for the Modification of Plant Lignin Content	2000-575991	6.10.99	Application
Materials and Methods for the Modification of Plant Cell Wall Polysaccharides	2000-575985	8.10.99	Application
Methods for Producing Genetically Modified Plants, Plant Materials and Plant Products Produced Thereby	2000-570340	15.9.99	Application
Materials and Methods for the Modification of Isoprenoid Content, Composition and Metabolism	2000-588332	16.12.99	Application
Compositions and Methods for the Modification of Gene Transcription	2000-603349	9.3.2000	Application
Compositions Affecting Programmed Cell Death and Their Use in the Modification of Forestry Plant Development	Pending	2.6.2000	Application
Compositions and Methods for the Modification of Gene Expression	2000-608755	24.2.2000	Application

Malaysia

Title	Number	Date	Status
Materials and Methods for the Modification of Plant Lignin Content	PI 9705629	24.11.97	Application
Materials and Methods for the Modification of Plant Lignin Content	PI9904365	8.10.99	Application

Title	Number	Date	Status
Materials and Methods for the Modification of Plant Cell Wall Polysaccharides	PI9904381	11.10.99	Application
Methods for Producing Genetically Modified Plants, Plant Materials and Plant Products Produced Thereby	PI20001005	14.3.2000	Application
Materials and Methods for the Modification of Isoprenoid Content, Composition and Metabolism	PI9905495	16.12.99	Application
Compositions and Methods for the Modification of Gene Transcription	PI20000928	10.3.2000	Application
Compositions Affecting Programmed Cell Death and Their Use in the Modification of Forestry Plant Development	PI20002503	2.6.2000	Application
Compositions and Methods for the Modification of Gene Expression	PI20000981	13.3.2000	Application
Compositions and Methods for the Modification of Gene Expression	PI20012906	20.6.2001	Application

Mexico

Title	Number	Date	Status
Materials and Methods for the Modification of Plant Lignin Content	99 2262	10.9.97	Application
Materials and Methods for the Modification of Plant Lignin Content	PA/a/2001/003475	6.10.99	Application
Materials and Methods for the Modification of Plant Cell Wall Polysaccharides	PA/a/2001/003476	8.10.99	Application
Methods for Producing Genetically Modified Plants, Plant Materials and Plant Products Produced Thereby	PA/a/2001/002577	15.9.99	Application
Materials and Methods for the Modification of Isoprenoid Content, Composition and Metabolism	PA/a/2001/006009	16.12.99	Application
Compositions and Methods for the Modification of Gene Transcription	PA/a/2001/009096	9.3.2000	Application

Title	Number	Date	Status
Compositions Affecting Programmed Cell Death and Their Use in the Modification of Forestry Plant Development	Pending	2.6.2000	Application
Compositions and Methods for the Modification of Gene Expression	PA/a/2001/009575	24.2.2000	Application
Plant Microsatellite Markers and methods for their use	PA/a/2000/012350	25.6.1999	Application

New Zealand

Title	Number	Date	Status
Plant Growth Establishment and Agents for Use Therein	242308	10.4.1992	Granted
Materials and Methods for the Modification of Plant Lignin Content	334565	10.9.1997	Application
Materials and Methods for the Modification of Plant Lignin Content	510940	6.10.1999	Application
Materials and Methods for the Modification of Plant Cell Wall Polysaccharides	511049	8.10.1999	Application
Methods for Producing genetically Modified Plants, Plant Materials and Plant Products Produced Thereby	510474	15.9.1999	Application
Materials and Methods for the Modification of Isoprenoid Content, Composition and Metabolism	512328	16.12.1999	Application
Compositions and Methods for the Modification of Gene Transcription	514025	9.3.2000	Application
Compositions Affecting Programmed Cell Death and Their Use in the Modification of Forestry Plant Development	515795	2.6.2000	Application
Compositions and Methods for the Modification of Gene Expression	514328	24.2.2000	Application
Plant Microsatellite Markers and Methods for their use	508962	25.6.1999	Application

Philippines

Title	Number	Date	Status
Lignin modification	I-58639	25.11.97	Application

South Africa

Title	Number	Date	Status
Materials and Methods for the Modification of Plant Lignin Content	97/10451	20.11.97	Granted
Materials and Methods for the Modification of Plant Lignin Content	98/10574	19.11.98	Granted
Materials and Methods for the Modification of Plant Lignin Content	2001/2534	6.10.99	Application
Materials and Methods for the Modification of Plant Cell Wall Polysaccharides	2001/2535	8.10.99	Application
Methods for Producing genetically Modified Plants, Plant Materials and Plant Products Produced Thereby	2001/1818	15.9.99	Application
Materials and Methods for the Modification of Isoprenoid Content, Composition and Metabolism	2001/4694	16.12.99	Application
Compositions and Methods for the Modification of Gene Transcription	2001/7413	9.3.2000	Application
Compositions Affecting Programmed Cell Death and Their Use in the Modification of Forestry Plant Development	Pending	2.6.2000	Application
Compositions and Methods for the Modification of Gene Expression	2001/7442	24.2.2000	Application
Plant Microsatellite Markers and Methods for their use	2000/7683	25.6.1999	Application

United States

Title	Number	Date	Status
Plant Growth Establishment and Agents for Use Therein	5,672,503	10.4.92	Granted
Materials and Methods for the Modification of Plant Lignin Content	5,850,020	11.9.96	Granted
Materials and Methods for the Modification of Plant Lignin Content	5,952,486	21.11.97	Granted
Materials and Methods for the Modification of Plant Lignin Content	09/169,789	9.10.98	Application
Materials and Methods for the Modification of Plant Lignin Content	6,204,434	14.12.98	Granted
Materials and Methods for the Modification of Plant Lignin Content	09/615,192	12.7.2000	Application
Materials and Methods for the Modification of Plant Cell Wall Polysaccharides	09/170,862	13.10.98	Application
Materials and Methods for the Modification of Plant Cell Wall Polysaccharides	09/636,800	10.8.2000	Application
Polynucleotides isolated from plants and methods for their use	09/388,906	1.9.99	Application
Methods for producing Genetically Modified Plants, Plant Materials and Plant Products produced thereby (Plant Transformation)	6,255,559	15.9.98	Granted
Compositions and Methods for the Modification of Gene Transcription (plant transcription factors)	09/266,513	11.3.99	Application
Composition and Methods for the Modification of Gene Technology	09/640,211	16.8.00	Application
Compositions affecting programmed cell death and their use in the modification of forestry plant development	09/325,932	4.6.99	Application
Polynucleotides isolated from plants and methods for their use	09/411,999	4.10.99	Application
Composition and Methods for the Modification of Gene Expression (plant promoters)	09/276,599	25.3.99	Application

Polynucleotides, materials incorporating them, and methods for using them	09/605,698	21.6.00	Application
Polynucleotides, materials incorporating them, and methods for using them	09/605,700	21.6.00	Application
Polynucleotides, materials incorporating them, and methods for using them	09/605,701	21.6.00	Application
Polynucleotides, materials incorporating them, and methods for using them	09/605,699	21.6.00	Application
Polynucleotides, materials incorporating them, and methods for using them	09/605,702	22.6.00	Application
Polynucleotides, materials incorporating them, and methods for using them	09/605,755	22.6.00	Application
Polynucleotides, materials incorporating them, and methods for using them	09/724,750	28.11.00	Application
Polynucleotides, materials incorporating them, and methods for using them	09/724,866	28.11.00	Application
Methods for producing genetically modified plants, plant materials and plant products produced thereby	09/813,519	20.3.01	Application
Materials and Methods for the Modification of Isoprenoid Content, Composition and Metabolism	Pending	9.4.01	Application
Compositions and methods for the modification of gene expression	09/598,401	20.6.00	Application
Compositions and Methods for the modification of gene expression		28.11.2000	Application
Polynucleotides, polypeptides encoded by the polynucleotides and methods for their use	09/886,492	20.6.01	Application
Plant microsatellite markers and methods for their use	09/105,307	25.6.98	Application
Plant Microsatellite Markers and Methods for their use	Pending	17.12.2001	Application

Plant microsatellite markers and methods for their use	09/213,604	17.12.98	Application
Plant microsatellite markers and methods for their use	09/213,620	17.12.98	Application
Plant microsatellite markers and methods for their use	09/213,477	17.12.98	Application
Plant Microsatellite Markers and Methods for their use	09/991,423	20.11.2001	Application
Plant microsatellite markers and methods for their use	09/789,933	14.2.01	Application
Cellulose modification	08/707,860		
Cellulose modification	PCT/CA97/00631		

Venezuela

Title	Number	Date	Status
Materials and Methods for the Modification of Plant Lignin Content	2378-97	24.11.97	Application
Materials and Methods for the Modification of Plant Lignin Content	2061-99	8.10.99	Application
Materials and Methods for the Modification of Plant Cell Wall Polysaccharides	2086-99	13.10.99	Application
Materials and Methods for the Modification of Isoprenoid Content, Composition and Metabolism	2595-99	16.12.99	Application
Compositions and Methods for the Modification of Gene Transcription	503-00	10.3.2000	Application
Compositions Affecting Programmed Cell Death and Their Use in the Modification of Forestry Plant Development	1216-00	2.6.2000	Application
Compositions and Methods for the Modification of Gene Expression	620-00	8.3.2000	Application
Compositions and Methods for the Modification of Gene Expression	1290-01	20.6.2001	Application