

04-12-2004



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22387 U.S. PTO
10/818376



040504

To the Honorable Commissioner of .
Please record the attached original documents or copy with fee...

4-5-04

1. Name of conveying party:

MITCHELL HANES

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

2. Name and address of receiving party:

Name: GOLDSMITH SEEDS, INC.

Address: 2280 HECKER PASS HIGHWAY

City: GILROY

State: CALIFORNIA

Zip: 95020

Additional name(s) and address(es) attached? NO

3. Nature of conveyance:

ASSIGNMENT

Execution date: MARCH 26, 2004

10818376

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: APRIL 5, 2004.

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? NO

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: ONE

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

ENCLOSED

8. Deposit account number: NONE

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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.

CATHERINE ANNE WHEALY

Name of Person Signing

Registration No. 39,419

Signature

APRIL 5, 2004

Date

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

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments, Alexandria, Virginia

PATENT
REEL: 015188 FRAME: 0016

ASSIGNMENT

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


SELL, ASSIGN AND TRANSFER TO GOLDSMITH SEEDS, INC. (the "Assignee"), having a place of business at **2280 Hecker Pass Highway, Gilroy, California**, 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 **PETUNIA PLANT NAMED 'JAM LITBULE'**, 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.

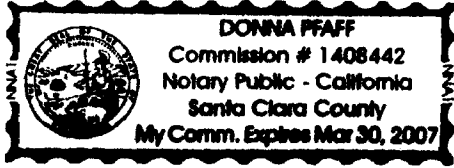
Inventor's Signature: 
Name: **MITCHELL HANES**

Date: March 26, 2004

Place: Santa Clara County, California

Before me, on this 26 th day of March, 2004, personally appeared **MITCHELL HANES**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

SEAL:



____ Notary *Donna Pfaff*