

04-28-2004

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

1. Name of conveying party(ies):

Reinhard HEHL
Dorothee KLOOS
Dietmar Juergen STAHL

Additional names(s) of conveying party(ies) Yes No

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

Name: KWS SAAT AG

Address: Grimsehlstrasse 31

City: Einbeck

State/Prov.: _____

Country: Germany

ZIP: D-37574

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

3. Nature of conveyance:

- Assignment Merger
- Security Agreement Change of Name
- Other _____

Execution Date: 5/20/2003, 6/5/2003, 6/9/2003

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: _____

Patent Application No. Filing date

10/432,148

9/15/2003

B. Patent No.(s)

Additional numbers Yes No

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

Name: Stephan A. Pendorf

Registration No. 32,665

Address: PENDORF & CUTLIFF

5111 Memorial Highway

City: Tampa

State/Prov.: FL

Country: US

ZIP: 33634-7356

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41):.....\$ 40.00

- Enclosed - Any excess or insufficiency should be credited or debited to deposit account
- Authorized to be charged to deposit account

8. Deposit account number:

16-0877

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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.

Christopher J. Kay (Reg. No. 44,820)

Christopher J. Kay

4/ 22 /04

Name of Person Signing

Signature

4

Date

Total number of pages including cover sheet, attachments, and

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PATENT

REEL: 015257 FRAME: 0325

Assignment

In consideration of the payment by ASSIGNEE to ASSIGNORS of valuable consideration, receipt whereof is hereby acknowledged, and for other good and valuable consideration,

ASSIGNOR

Reinhard **HEHL**
Schubertstrasse 1
38114 Braunschweig
GERMANY

Dorothee **KLOOS**
Freihamer Strasse 6A
82166 Gräfelfing
GERMANY

Dietmar Jürgen **STAHL**
Fasanengrund 10
37574 Einbeck
GERMANY

hereby sell, assign and transfer to

ASSIGNEE

KWS SAAT AG
Grimsehlstrasse 31
D-37574 Einbeck
GERMANY

and the successors, assigns and legal representatives of the ASSIGNEE, the entire right, title and interest for the United States and its territorial possessions, and countries foreign thereto, in and to any and all improvements which are disclosed in the invention entitled "**Tissue Specific Promoters**", and which is found in U.S. Patent Application Serial Number 10/432,148 filed 9/15/03, (We hereby authorize and request our attorneys **Pendorf & Cutliff** of P.O. Box 20445, Tampa, Florida 33622-0445, to insert the application number and filing date of

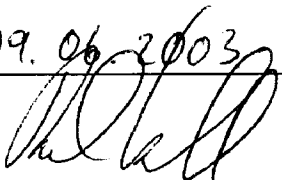
said application when known) or any continuation, divisional, renewal, or substitute thereof, and as to letters patent any reissue or re-examination thereof, including the right to claim priority under 35 U.S.C. §119, and we request the Commissioner of Patents to issue any Letters Patent granted upon the invention set forth in the application to the **ASSIGNEE**, its successors and assigns; and we will execute without further consideration all papers deemed necessary by the **ASSIGNEE** in connection with the United States application when called upon to do so by the Assignee;

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been made or will be made or entered into which would conflict with this Assignment;


ASSIGNORS further covenant that **ASSIGNEE** will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to **ASSIGNORS** and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to **ASSIGNEE** or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue or enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

DESIGNATION OF DOMESTIC REPRESENTATIVE

Stephan A. Pendorf, Yaté K. Cutliff and Evelyn A. Defillo, located at PENDORF & CUTLIFF, 3940 Venetian Way, Tampa, FL 33634, are hereby designated Applicants representative in the United States of America upon whom notice of process in proceedings affecting the application/patent may be served.

Date: 09.06.2003


Reinhard **HEHL**

Date: 20.05.2003


Dorothee **KLOOS**

Date: 05.06.2003


Dietmar Jürgen **STAHL**

(Legalization not required for recording but is *prima facie* evidence of execution under 35 U.S.C. §261.)