

06-16-2004



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U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office  
Atty. Docket No.: 4194-043791

15364 U.S. PTO  
10/862259



Tab settings

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

1. Name of conveying party(ies):

Jaroslav Tupy  
Otto Louda  
Jan Zima

6-7-04

2. Name and address of receiving party(ies)

Name: Institute of Experimental Botany

Rozvojova 135, CZ-165 02 Praha 6, Czech Republic

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

3. Nature of conveyance:

- Assignment  Merger
- Security Agreement  Change of Name
- Other \_\_\_\_\_

Execution Date: 5/10/2004

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

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: May 10, 2004

A. Patent Application No.(s)

B. Patent No.(s)

10862259

Additional numbers attached?  Yes  No

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

Name: Russell D. Orkin

Internal Address: Webb Ziesenheim Logsdon

Orkin & Hanson, P.C.

Street Address: 700 Koppers Building

436 Seventh Avenue

City: Pittsburgh State: PA Zip: 15219

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:

23-0650

(Attach duplicate copy of this page if paying by deposit account)

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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.*

Patricia A. Olosky, Reg. No. 53,411

Name of Person Signing

Patricia A. Olosky

Signature

June 7, 2004

Date

Total number of pages including cover sheet, attachments, and documents:

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**PATENT**  
**REEL: 015448 FRAME: 0395**

ASSIGNMENT

WHEREAS, we, Jaroslav TUPY, Otto LOUDA and Jan ZIMA residing in Praha, Czech Republic, Pencin u Liberce, Czech Republic and Turnov, Czech Republic have invented certain new and useful improvements in APPLE TREE NAMED 'UEB 3264/2' for which we have this day executed an application for United States Letters Patent;

AND, WHEREAS, INSTITUTE OF EXPERIMENTAL BOTANY, an institute of the Czech Republic, having a place of business at Rozvojova 135, CZ-165 02 Praha 6, Czech Republic hereinafter called the "assignee", is desirous of acquiring the entire right, title, and interest in and to said application and the inventions and improvements therein disclosed.

NOW, THEREFORE, for good and valuable consideration paid to us by said assignee, the receipt of which is hereby acknowledged, we do hereby assign, sell, transfer, and set over unto said assignee the entire right, title and interest in and to said application and the inventions and improvements therein disclosed for the United States and all foreign countries and any Letters Patent which may issue therefor in the United States and all foreign countries and all divisions, reissues, continuations, continuations-in-part, renewals, and/or extensions thereof, said assignee to have and to hold the interests herein assigned to the full ends of the terms of said Letters Patent and any and all divisions, reissues, continuations, continuations-in-part, renewals, and/or extensions thereof, respectively, as fully and entirely as the same would have been held and enjoyed by us had this assignment not been made.

The Assistant Commissioner for Patents is requested to issue such Letters Patent in accordance herewith. We covenant that we are the lawful owners of the said application, inventions, and improvements, that the same are unencumbered, that no license has been granted to make, use, or vend the said inventions or improvements or any of them, and that we have the full right to make this assignment.

And for the consideration aforesaid, we agree that we will communicate to said assignee or the representatives thereof any facts known to us respecting said inventions and improvements, and will, upon request, but without expense to us, testify in any legal proceedings, sign all lawful papers, execute all divisional, reissue, continuation, continuation-in-part, renewal, and/or extension applications, make all rightful oaths, and generally do all other and further lawful acts, deemed necessary or expedient by said assignee or by counsel for said assignee, to assist or enable said assignee to obtain and enforce full benefits from the rights and interests herein assigned. This assignment shall be binding upon our heirs, executors, administrators, and/or assigns, and shall inure to the benefit of the heirs, executors, administrators, successors, and/or assigns, as the case may be, of said assignee.

Date: May 10, 2004

Date: May 10, 2004

Date: May 10 2004

Jaroslav Tupy

Jaroslav TUPY

Otto Louda

Otto LOUDA

Jan Zima

Jan ZIMA