FORM PTO-1619A

06-30-2004



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Patent Number(s):

Application Number(s) or Patent Number(s)

Patent Application Number(s):

PATENT

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representative is attached.

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ASSIGNMENT

WHEREAS, We, COURTNEY A. WEBER, a citizen of the United States, residing at 11 Folger Street, Geneva, NY 14456; JOHN C. SANFORD, a citizen of the United States, residing at 7160 Stone Hill Road, Livonia, NY 14487; and KEVIN E. MALONEY, a citizen of the United States, residing at 28 S. Newark Road, Phelps, NY 14532, are the inventors of an invention in STRAWBERRY PLANT NAMED 'CLANCY' for which an application for Letters Patent was filed with the United States Patent and Trademark Office on even date herewith; and

WHEREAS, CORNELL RESEARCH FOUNDATION, INC., a public institution of higher education existing under the laws and Constitution of the State of New York, with a place of business at 20 Thornwood Drive, Suite 105, Ithaca, NY 14850, is desirous of obtaining the entire right, title and interest in, to and under the said invention and the said application;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said COURTNEY A. WEBER, JOHN C. SANFORD and KEVIN E. MALONEY have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said CORNELL RESEARCH FOUNDATION, INC., its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said invention and the said application, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all applications for Letters Patent which may hereafter be filed for said invention in any country or countries foreign to the United States, and all Letters Patent which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof and all rights of priority in any such country or countries based upon the filing of the said application for Letters Patent of the United States which are created by any law, treaty or international convention; and I hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said invention to the said CORNELL RESEARCH FOUNDATION, INC., its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I HEREBY covenant that I have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith.

AND I HEREBY further covenant and agree that I will communicate to said CORNELL RESEARCH FOUNDATION, INC., its successors, legal representatives and assigns, any facts known to me respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said CORNELL RESEARCH FOUNDATION, INC., its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said invention in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal below.

June 16, 2004

COURTNEY A. WEBER

June 17, 2004

KEVIN E. MALONEY

Tank 17, 2004

PATENT RECORDED: 06/21/2004 REEL: 015506 FRAME: 0867