




Form PTO-1595 (Rev. 10/02, modified)	<b>RECORDATION FORM COVER SHEET</b> <b>PATENTS ONLY</b>	U.S. Department of Commerce Patent and Trademark Office			
To the Honorable Assistant Commissioner for Patents: Please record the attached original documents or copy thereof.					
1. Name of conveying party(ies):  David Dellinger Elie Helou Jr.  Add'l names of conveying parties attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Name/address of receiving party(ies):  Biosphere Industries Corp. 1025 Cindy Lane Carpinteria, California 93013  Add'l names of receiving parties attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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"/> Reassignment <input type="checkbox"/> Other Execution dates: <u>November 9, 2004</u> <u>November 9, 2004</u> , respectively.	Add'l names of receiving parties attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
4. Application number(s) and/or patent number(s): If this document is being filed with a new application, the date of signature by the first named inventor was: _____ <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;">           A. Patent Application No.(s)            10/928,602         </td> <td style="width: 50%; vertical-align: top;">           B. Patent No.(s)         </td> </tr> </table> Additional numbers attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			A. Patent Application No.(s) 10/928,602	B. Patent No.(s)	
A. Patent Application No.(s) 10/928,602	B. Patent No.(s)				
5. Name and address of party to whom correspondence concerning document should be mailed:  Customer No. 34055 Perkins Coie LLP P.O. Box 1247 Seattle, Washington 98111-1247 (310) 788-9900	6. Total No. of applications and patents involved: <u>one (1)</u> <hr/> 7. Total fee (37 CFR §3.41): <u>\$40.00</u> <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Charge Deposit Account No. 50-2586 <hr/> 8. Deposit Account No. <u>50-2586</u> (Attach duplicate copy of this page if paying by deposit account)				
<b>DO NOT USE THIS SPACE</b>					
9. Statement and signature:  <i>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.</i>  <table style="width: 100%;"> <tr> <td style="width: 35%; text-align: center;">           Joseph P. Hamilton            Name of Person Signing         </td> <td style="width: 30%; text-align: center;">             Signature         </td> <td style="width: 35%; text-align: center;">           December 22, 2004            Date         </td> </tr> </table> Total number of pages, including cover sheet, attachments and document: <u>4</u>			Joseph P. Hamilton Name of Person Signing	 Signature	December 22, 2004 Date
Joseph P. Hamilton Name of Person Signing	 Signature	December 22, 2004 Date			

CH \$40.00 502586 10928602

ASSIGNMENT OF PATENT APPLICATION

WHEREAS, WE, DAVID DELLINGER, a citizen of UNITED STATES OF AMERICA, and ELIE HELOU, JR., a citizen of UNITED STATES OF AMERICA, (hereinafter referred to as "ASSIGNORS"), have invented a certain invention entitled **COMPOSITION FOR USE IN BIODEGRADABLE ARTICLES AND METHOD OF USE** for which application for Letters Patent of the United States of America was filed on August 26, 2004, assigned Serial No. 10/928,602; and

WHEREAS, **Biosphere Industries Corp.**, a body corporate and politic of the state of Delaware and having its principal place of business at **1025 Cindy Lane, Carpinteria, California 93013** (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under any Patent or similar legal protection to be obtained therefor in the United States of America, its territorial possessions and in any and all countries foreign thereto.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign, transfer and set over unto the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or application or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto to be obtained for said invention by said application, and to any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in the United States or a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and ASSIGNORS hereby authorize and request the United States Commissioner of Patents and Trademarks and any officials of foreign countries whose duty it is to issue patents or any legal

Atty Dkt No. 40134.8002.US02

equivalent thereof to said ASSIGNEE, its successors and assigns, in accordance with this Assignment.

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

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

WITNESS my hand at Carpinteria, Ca 93013,  
this 9<sup>th</sup> day of November, 2004.

David G. Dellinger  
David Dellinger

STATE OF CALIFORNIA )  
COUNTY OF Santa Barbara ) ss



On 9<sup>th</sup> Nov. 04 before me, Stanley P. Kidman personally appeared  
David Dellinger

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Stanley P. Kidman  
Notary Public in and for said County and State

Atty Dkt No. 40134.8002.US02

WITNESS my hand at Carpinteria, CA 93013  
 this 9<sup>th</sup> day of November, 2004.

*Elie Helou, Jr.*  
 Elie Helou, Jr.

STATE OF CALIFORNIA )  
 ) ss  
 COUNTY OF )

On 9<sup>th</sup> Nov/04 before me, Stanley P. Kidman, personally appeared  
Elie Helou, Jr.

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to  
 be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me  
 that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~  
 signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted,  
 executed the instrument.

WITNESS my hand and official seal.

*Stanley P. Kidman*  
 Notary Public in and for said County and State

