



To the Honorable Commission
Please record the attached on

102839856

9-8-04

17612 U.S. PTO
10/937855



<p>1. Name of conveying party:</p> <p>MARK A. SMITH</p> <p>Additional name(s) of conveying party(ies) attached? <u>No</u></p>	<p>2. Name and address of receiving party:</p> <p>Name: YODER BROTHERS, INC.</p> <p>Address: P.O. BOX 230</p> <p>City: BARBERTON</p> <p>State: OHIO</p> <p>Zip: 44203</p> <p>Additional name(s) and address(es) attached? No</p>
<p>3. Nature of conveyance:</p> <p>ASSIGNMENT</p> <p>Execution date: APRIL 28, 2004</p>	

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: SEPTEMBER 8, 2004

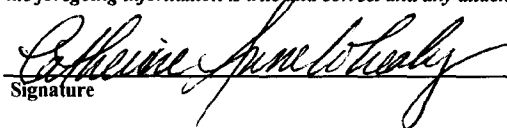
A. Patent Application No.(s)	B. Patent No.(s)	Additional numbers attached? NO
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<p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>Name: CATHERINE ANNE WHEALY</p> <p>Address: P.O. BOX 220</p> <p>City: TOLAR</p> <p>State: TEXAS</p> <p>Zip: 76476</p>	<p>6. Total number of applications and patents involved: 1</p> <hr/> <p>7. Total fee (37 C.F.R. § 3.41)..... \$40.00</p> <p>ENCLOSED</p> <hr/> <p>8. Deposit account number: NONE</p>
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DO NOT USE THIS SPACE

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.

<p>CATHERINE ANNE WHEALY Name of Person Signing Registration No. 39,419</p>	 Signature	<p>SEPT. 8, 2004 Date</p>
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Total number of pages including cover sheet, attachments, and document: 2

Mail documents to be recorded with required cover sheet information to
Commissioner of Patents
Mail Stop Assignment Recordation Services, Alexandria, Virginia 22313-1450

09/13/2004 EFLORES 00000084 10937855

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ASSIGNMENT

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

SELL, ASSIGN AND TRANSFER TO YODER BROTHERS, INC. (the "Assignee"), having a place of business at **Barberton, Ohio**, the entire right, title and interest for the United States, its territories and possessions, in and to any and all improvements which are disclosed in the application for United States Letters Patent filed concurrently herewith and is titled **CHRYSANTHEMUM PLANT NAMED 'SOFT YOCHERYL'**, 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: *Mark A. Smith*
Name: **MARK A. SMITH**

Date: April 28, 2004

Before me, on this 28th day of April, 2004, personally appeared **MARK A. SMITH**, 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.

Alejandro Galarza Jr.
Notary


SEAL: