

ASSIGNMENT RECORDATION FORM COVER SHEET *Patents Only*

To: Commissioner for Patents:

Date: July 25, 2005  
Attorney Docket No. 5051.693

Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

- [1.] Todd R. Klaenhammer
- [2.] Eric Altermann
- [3.] Rodolphe Barrangou
- [4.] W. Michael Russell
- [5.] Tri Duong

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

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

North Carolina State University  
Campus Box 8210  
Raleigh, North Carolina

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

3. Nature of conveyance:

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

Execution Date:

- [1.] June 10, 2005 [2.] June 10, 2005 [3.] June 8, 2005 [4.] June 14, 2005 [6.] June 10, 2005

4. Application Serial No. 11/074,226

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

Additional numbers attached? \_\_\_ Yes X No

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

Mary L. Miller  
Myers Bigel Sibley & Sajovec  
P. O. Box 37428  
Raleigh NC 27627

6. Total number of applications and patents involved: 1

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

\_\_\_ Enclosed

X Authorized to be charged to deposit account

8. Deposit account number: 50-0220

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.*

*Mary L. Miller*

*July 25, 2005*

Mary L. Miller, Reg. No. 39,303

Date

Total number of pages including cover sheet, attachments and document: 23

CERTIFICATION OF FACSIMILE TRANSMISSION  
UNDER 37 CFR § 1.8

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office via facsimile number 571-273-0140 on July 25, 2005.

*Cathy A. Schetzina*  
Cathy A. Schetzina

CH \$40.00 600220 11074226

APPLICATION SERIAL NO. 11/074,226 <sup>3</sup> *nlm*  
ATTORNEY DOCKET NO. 5051.693

### ASSIGNMENT

THIS ASSIGNMENT, made by us, **Todd R. Klaenhammer**, a citizen of the United States of America; **Eric Altermann**, a citizen of Germany; **Rodolphe Barrangou**, a citizen of France; **W. Michael Russell**, a citizen of the United States of America; and **Tri Duong**, a citizen of the United States of America.

WITNESSETH: That,

WHEREAS, we are the joint inventors of certain new and useful improvements in **Lactobacillus Acidophilus Nucleic Acid Sequences Encoding Carbohydrate Utilization-Related Proteins and Uses Therefor**, for which U.S. Provisional Application Serial No. 60/551,121 was filed on March 8, 2004, International Application No. PCT/US05/007594 was filed on March 8, 2005, and U.S. Application Serial No. 11/074,226 was filed on March 7, 2005, in the United States Patent and Trademark Office; and

WHEREAS, North Carolina State University, a constituent institution of The University of North Carolina and an educational institution chartered under the laws of the State of North Carolina, having a principal office at Campus Box 8210, City of Raleigh, County of Wake, State of North Carolina, hereinafter referred to as assignee, is desirous of acquiring the entire right, title and interest in and to said invention as described in said application, and in and to any and all Letters Patent which shall be granted therefor in the United States of America and all foreign countries;

NOW, THEREFORE, To Whom It May Concern, be it known that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we have sold and by these presents do hereby sell, assign, transfer, and convey unto the said assignee, its successors and assigns, the entire right, title, and interest in and to the said invention and application, and in and to any and all continuations, continuations-in-part, or divisions thereof, and in and to any and all Letters Patent of the United States of America and all foreign countries or reissues or other forms of protection thereof which may be granted therefor or thereon, for the full end of the term for which said Letters Patent may be granted along with any term extensions thereon or therefor, together with the right to claim the priority of said application in all foreign countries in accordance with the International Convention, the same to be held and enjoyed by said assignee, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made.

APPLICATION SERIAL NO. 11/074,266  
ATTORNEY DOCKET NO. 5051.693

We hereby request that said Letters Patent be issued in accordance with this assignment.

We further covenant and agree that, at the time of the execution and delivery of these presents, we possess full title to the invention and application above-mentioned, and that we have the unencumbered right and authority to make this assignment.

We further covenant and agree to communicate to said assignee or its representatives any facts known to us relating to said invention, to testify in any interference or legal proceedings involving said invention, to execute any additional papers which may be requested to confirm the right of the assignee, its representatives, successors, or assigns to secure patent or similar protection for the said invention in all countries and to vest in the assignee complete title to the said invention and Letters Patent, without further compensation, but at the expense of said assignee, its successors, assigns, and other legal representatives; and we hereby instruct, and further covenant and agree to bind my heirs, legal representatives, and assigns, to do same, without further compensation, but at the expense of said assignee or its representatives.







APPLICATION SERIAL NO. 11/074,266  
ATTORNEY DOCKET NO. 5051,693

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this 14 day  
of June, 2005.

William Russell (SEAL)  
W. Michael Russell

STATE OF IN  
COUNTY OF Vanderburgh SS:

Before me personally appeared the person described in and who executed the  
foregoing instrument, and s/he acknowledged to me that s/he executed the same for the  
purposes therein stated, this 14<sup>th</sup> day of June, 2005.

Donna R. Attebury  
Notary Public

SEAL

My Commission Expires: 6-16-08



DONNA R. ATTEBURY  
Resident of Warrick County, IN  
Commission Expires: June 16, 2008





APPLICATION SERIAL NO. 11/074,226 <sup>2</sup>  
ATTORNEY DOCKET NO. 5051.693 <sup>me</sup>

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NOW, THEREFORE, To Whom It May Concern, be it known that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we have sold and by these presents do hereby sell, assign, transfer, and convey unto the said assignee, its successors and assigns, the entire right, title, and interest in and to the said invention and application, and in and to any and all continuations, continuations-in-part, or divisions thereof, and in and to any and all Letters Patent of the United States of America and all foreign countries or reissues or other forms of protection thereof which may be granted therefor or thereon, for the full end of the term for which said Letters Patent may be granted along with any term extensions thereon or therefor, together with the right to claim the priority of said application in all foreign countries in accordance with the International Convention, the same to be held and enjoyed by said assignee, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made.

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ATTORNEY DOCKET NO. 5051.693

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APPLICATION SERIAL NO. 11/074,206<sup>2</sup> *mlm*  
ATTORNEY DOCKET NO. 5051.693

### ASSIGNMENT

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