



Practitioner's Docket No. 17396/09035

103287078

PATENT

98.4.8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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P.O. Box 1450
Alexandria, VA 22313-1450

ASSIGNMENT (DOCUMENT) COVER SHEET (37 C.F.R. § 3.31)

Attached please find an assignment (document) for recordal.

IDENTIFICATION OF APPLICATION(S) AND/OR PATENT(S)
FOR ASSIGNMENT (DOCUMENT) RECORDAL
(37 C.F.R. § 3.21 and 37 C.F.R. § 3.31(a)(4))

OFFICE OF THE CLERK OF COURTS
2006 AUG -4 AM 11:56
FINANCE SECTION

1. This assignment is for the following patent application and/or issued patent:

- a. US Patent No. 6,838,473, issued January 4, 2005.

TOTAL NUMBER OF APPLICATIONS AND/OR PATENTS
AND TOTAL FEE

- 2. A. The total number of applications and/or patents identified in this cover sheet is: 1.
B. The total fee is (37 C.F.R. Section 1.21(h)):

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*
(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

deposited with the United States Postal Service in an envelope addressed to the Director of the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

with sufficient postage as first class mail.

37 C.F.R. § 1.10\*

as "Express Mail Post Office to Addressee"

Mailing Label No. (mandatory)

TRANSMISSION

facsimile transmitted to the Patent and Trademark Office, (703)

Handwritten signature of Melanie E. Powell

Signature

Melanie E. Powell

(type or print name of person certifying)

Date: August 2, 2006

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

C. Payment of fee is made by:

Attached is a check in the amount of \$40.00.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

**NAME AND ADDRESS OF PARTY CONVEYING INTEREST  
(37 C.F.R. § 3.31(a)(1))**

3. The party conveying undivided joint rights and interest is:

Monsanto Technology LLC

**NAME AND ADDRESS OF PARTY(IES) RECEIVING INTEREST  
(37 C.F.R. § (a)(2))**

4. The undivided joint rights are being conveyed to:

Bayer CropScience AG  
Alfred-Nobel-Str. 50  
40789 Monheim am Rhein  
Germany

**DESCRIPTION OF INTEREST CONVEYED OR  
TRANSACTION RECORDED (37 C.F.R. § 3.31(a)(3))**

5. The accompanying document intends to accomplish an assignment of undivided joint interest.

**NAME AND ADDRESS OF PARTY TO WHOM  
CORRESPONDENCE SHOULD BE MAILED (37 C.F.R. § 3.31 (a)(5))**

6. Please address correspondence to:

Name: Charles E. Dunlap  
Address: Nelson Mullins Riley & Scarborough, LLP  
P. O. Box 11070  
Columbia, SC 29211  
Telephone No.: 864-250-2238  
Facsimile No.: 803-255-9831

**DATE ASSIGNMENT (DOCUMENT) EXECUTED  
(37 C.F.R. § 3.31(a)(7))**

7. The attached assignment (document) was executed on May 16, May 15, and May 2, 2006.

**LANGUAGE OF ASSIGNMENT (DOCUMENT) TO BE RECORDED**

8. The attached document is in the English language.

**ORIGINAL DOCUMENT OR TRUE COPY SUBMITTED**

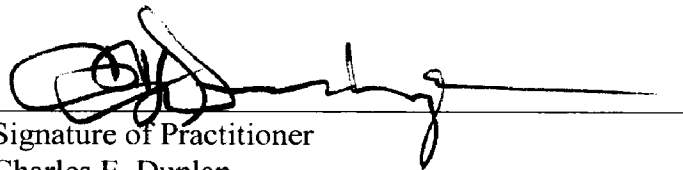
9. Submitted herewith is a true copy of the original document, which I certify to be a true copy.

**STATEMENT (37 C.F.R. § 3.31(a)(9)) AND  
SIGNATURE (37 C.F.R. § 3.31(a)(10))**

10. 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.

Date: August 2, 2006

Reg. No.: 35,124  
Tel. No.: 864-250-2238  
Fax No.: 803-255-9831  
Customer No.: 27530



Signature of Practitioner  
Charles E. Dunlap  
Nelson Mullins Riley & Scarborough, LLP  
P. O. Box 11070  
Columbia, SC 29211

**TOTAL NUMBER OF PAGES BEING SUBMITTED**

11. The total number of pages being submitted, **including documents** is: 7.

## ASSIGNMENT

**WHEREAS** MONSANTO TECHNOLOGY LLC, a Delaware limited liability corporation with its principal place of business at 800 North Lindbergh Boulevard, St. Louis, Missouri 63167 is the owner of all right, title, and interest in and to the invention or inventions which are disclosed in the patent applications listed on attached Exhibit A (the "Applications");

**WHEREAS** BAYER CROPSCIENCE AG, having a place of business at Monheim, Germany, its successors, assigns, and legal representatives, is desirous of acquiring an undivided joint interest in and to said invention or inventions and any and all patents to be obtained therefore;

**NOW, THEREFORE**, for good and valuable consideration, the receipt of which is hereby acknowledged:

1. MONSANTO TECHNOLOGY LLC does hereby sell, assign, and transfer to BAYER CROPSCIENCE AG, its successors, assigns, and legal representatives, an undivided joint interest in and to said invention or inventions, in any form or embodiment thereof; and in and to said Applications listed on attached Exhibit A; also an undivided joint interest in and to any and all patents, including reissues and extensions thereof, to be obtained throughout the world that are based thereon; also an undivided joint interest in and to any and all patents, including reissues and extensions thereof, to be obtained throughout the world upon said invention or inventions, and any and all continuing applications, including divisional, continuation and continuation-in-part applications, substitute applications, and applications claiming benefit of an earlier filed provisional application, which may be filed upon said invention or inventions throughout the world;

2. MONSANTO TECHNOLOGY LLC does hereby agree for itself, its parent, subsidiaries, affiliates, successors and assigns, to execute without further consideration any further lawful documents to enable BAYER CROPSCIENCE AG to register this assignment with the relevant Patent Office;

3. MONSANTO TECHNOLOGY LLC does hereby authorize and request the issuing authority to issue any and all patents on said Applications jointly to BAYER CROPSCIENCE AG

and MONSANTO TECHNOLOGY LLC, as joint assignees with each owning an undivided joint interest in the entire interest.

IN WITNESS WHEREOF, MONSANTO TECHNOLOGY LLC has caused this Assignment to be executed by a duly authorized representative on the date shown below.

BAYER CROPSCIENCE AG

MONSANTO TECHNOLOGY LLC

By: [Signature] [Signature]

By: [Signature]

Names: Dr. Bader

Dr. Jesse

Name: Joseph A. Schaper

Titles: Patents & Licensing  
Head of PL Insecticides

Global Head of  
Patents & Licensing

Title: Intellectual Property Counsel

Date: May 16, 2006

May 15, 2006

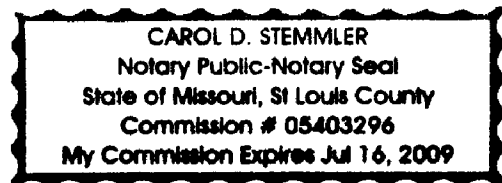
Date: MAY 2, 2006

STATE OF Missouri )

COUNTY OF St. Louis )

On this 2nd day of May, 2006, before me, a Notary Public, personally appeared Joseph A. Schaper, to me known to be the person who executed the foregoing instrument and acknowledged that he executed same as his free act and deed; in testimony whereof, I have hereto set my hand and official seal on the day last above written.

Carol D. Stemmler  
Notary Public for: State of Missouri  
My Commission Expires: July 16, 2009



## Exhibit A – Patent Applications

Patent Family Title: Seed Treatment With Combinations Of Pyrethrins / Pyrethroids and Clothianidin

Country	Serial No.	Patent Number	Atty Docket No. 17396/
United States	09/968117	6838473	09035
United States	11/028782		09208-CON
Argentina	P010104715		09036
Austria	019773506	E291845	09103-EPC
Australia	2001296476	2001296476	09099
Belgium	019773506	1322163	09103-EPC
Brazil	PI01144669		09100
Canada	2424018		09101
Chile	240901		09037
China	01820001X	ZL01820001.X	09102
China	2005100594227		09226-DIV
Germany	019773506	1322163	09103-EPC
Denmark	019773506	1322163	09103-EPC
Europe	019773506	1322163	09103-EPC
Finland	019773506	1322163	09103-EPC
France	019773506	1322163	09103-EPC
Great Britain	019773506	1322163	09103-EPC
Greece	019773506	1322163	09103-EPC
Hungary	P0301364		09104
Ireland	019773506	1322163	09103-EPC
India	473CHENP2003		09121
Italy	019773506	1322163	09103-EPC
Japan	2002533655		09105
Korea	20037004871		09106
Mexico	PAA2003003072	231981	09107
Netherlands	019773506	1322163	09103-EPC
New Zealand	525208	525208	09108
Poland	P366010		09109
Portugal	019773506	1322163	09103-EPC

Country	Serial No.	Patent Number	Atty Docket No. 17396/
South Africa	20032562	20032562	09110
Spain	019773506	1322163	09103-EPC
Sweden	019773506	1322163	09103-EPC
Switzerland	019773506	1322163	09103-EPC
Turkey	019773506	TR200502532	09103-EPC
WIPO/PCT	PCTUS0130780	N/A	09038

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Patent Family Title: Method For Reducing Pest Damages To Corn By Treating Transgenic Corn Seeds With Clothianidin Pesticide

Country	Serial No.	Patent Number	Attorney Docket No.
United States	60/238405	EXPIRED	09014-P
United States	09/968230	6586365	09014
Argentina	P010104718		09032
Australia	2002214627		09111
Brazil	PI01144650		09112
Canada	2424253		09113
Chile	240801		09033
China	018200567		09122
Europe	019831783		09114
Hungary	P0301286		09115
India	474CHENP2003		09123
Mexico	PAA2003003075		09116
New Zealand	525209	525209	09117
South Africa	20032557	20032557	09118
WIPO/PCT	PCTUS0142446	N/A	09034

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