

PATENT ASSIGNMENT

Electronic Version v1.1

Stylesheet Version v1.1

SUBMISSION TYPE:	CORRECTIVE ASSIGNMENT										
NATURE OF CONVEYANCE:	Corrective Assignment to correct the execution date of Gernot J Abel previously recorded on Reel 019714 Frame 0480. Assignor(s) hereby confirms the the correct execution date for Gernot J Abel is December 23, 1994.										
CONVEYING PARTY DATA											
<table border="1"><tr><th>Name</th><th>Execution Date</th></tr><tr><td>Gernot J Abel</td><td>12/23/1994</td></tr></table>		Name	Execution Date	Gernot J Abel	12/23/1994						
Name	Execution Date										
Gernot J Abel	12/23/1994										
RECEIVING PARTY DATA											
<table border="1"><tr><td>Name:</td><td>INSTITUT FUR GENBIOLOGISCHE FORSCHUNG BERLIN GMBH</td></tr><tr><td>Street Address:</td><td>lhnestrasse 63</td></tr><tr><td>City:</td><td>Berlin</td></tr><tr><td>State/Country:</td><td>GERMANY</td></tr><tr><td>Postal Code:</td><td>D-14195</td></tr></table>		Name:	INSTITUT FUR GENBIOLOGISCHE FORSCHUNG BERLIN GMBH	Street Address:	lhnestrasse 63	City:	Berlin	State/Country:	GERMANY	Postal Code:	D-14195
Name:	INSTITUT FUR GENBIOLOGISCHE FORSCHUNG BERLIN GMBH										
Street Address:	lhnestrasse 63										
City:	Berlin										
State/Country:	GERMANY										
Postal Code:	D-14195										
PROPERTY NUMBERS Total: 3											
<table border="1"><tr><th>Property Type</th><th>Number</th></tr><tr><td>Application Number:</td><td>10284668</td></tr><tr><td>Patent Number:</td><td>6130367</td></tr><tr><td>Patent Number:</td><td>6483010</td></tr></table>		Property Type	Number	Application Number:	10284668	Patent Number:	6130367	Patent Number:	6483010		
Property Type	Number										
Application Number:	10284668										
Patent Number:	6130367										
Patent Number:	6483010										
CORRESPONDENCE DATA											
Fax Number: (202)778-2201 <i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i> Email: cnichols@hunton.com Correspondent Name: Robert M. Schulman Address Line 1: 1900 K St. NW Address Line 2: Suite 1200 Address Line 4: washington, DISTRICT OF COLUMBIA 20006											
NAME OF SUBMITTER:	Christopher J. Nichols										
Total Attachments: 6 source=AbeltoIGF#page1.tif source=AbeltoIGF#page2.tif											

CH \$120.00 10284668

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PATENT
REEL: 019767 FRAME: 0657

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Erklärung zur Erfindungsübertragung

Präambel

Als Doktorand/Diplomand von Herrn Prof. Dr. Lothar Willmitzer
ist
Herr/Frau Gernot J. Abel

(im folgenden Doktorand/Diplomand genannt),

damit befaßt, zum Thema: DNA-Sequenzen aus Solanum tuberosum kodierend Enzyme, die an der Stärkesynthese beteiligt sind, Plasmide, Bakterien, Pflanzenzellen und transgene Pflanzen enthaltend diese Sequenzen

eine wissenschaftliche Arbeit zu erstellen. In diesem Zusammenhang erhält der Doktorand/Diplomand die Berechtigung, die Institutsbibliothek zu nutzen. Darüber hinaus wird ihm auch Gelegenheit gegeben, Kenntnis von der einschlägigen Forschungsentwicklung im Institut, in die auch partiell Betriebsergebnisse und das Know-how von Schering Eingang finden, zu erhalten. Das geschieht z.B. durch Unterlagen und mündliche Erläuterungen.

1. Der Doktorand/Diplomand verpflichtet sich zur Verschwiegenheit im Bezug auf die ihm im Zusammenhang mit der in der Präambel genannten wissenschaftlichen Arbeit bekanntwerdenden Betriebs- und Geschäftsgeheimnisse. In Zweifelsfällen wird er vom Geschäftsführer feststellen lassen, ob die Voraussetzungen der Vertraulichkeit gegeben sind.

Diese Verschwiegenheitsverpflichtung besteht auch für die Zeit nach Abschluß der Doktorarbeit/Diplomarbeit, solange der in Betracht kommende Wissensstand nicht allgemein bekannt geworden ist.

2. Die vom Doktoranden/Diplomanden entwickelten nicht-schutzwürdigen Entwicklungen und schutzwürdigen Erfindungen gehören in ihrer wirtschaftlichen Nutzungs- und Verwertungsberechtigung dem Institut für Genbiologische Forschung in Berlin GmbH. Die immateriellen Schöpfungs- und möglichen Urheberrechte sowie die Erfinderehre stehen dem Doktoranden/Diplomanden als Alleinerfinder oder Miterfinder entsprechend seiner qualitativen Beteiligung zu. Insoweit besteht auch bei erfolgreicher Schutzrechtsanmeldung ein Anspruch darauf, als Allein- oder Miterfinder bei der Schutzrechtsanmeldung genannt zu werden, sofern der Doktorand/Diplomand nicht ausdrücklich hierauf verzichtet.
3. Das Institut für Genbiologische Forschung in Berlin GmbH wird bei der Nutzung oder Verwertung der Erfindung in angemessener Weise darauf Rücksicht nehmen, daß das Promotionsverfahren beim Doktoranden / das Diplomprüfungsverfahren beim Diplomanden durch die Verwertung einer erfinderischen Leistung des Doktoranden oder Diplomanden nicht gestört wird.
4. Im Falle der wirtschaftlichen Nutzung und Verwertung des aus der Erfindung entstandenen Schutzrechtes wird das Institut für Genbiologische Forschung in Berlin GmbH dem Doktoranden/Diplomanden eine Vergütung zahlen, deren Höhe nach den Vergütungsrichtlinien für Arbeitnehmererfindungen des Bundesarbeitsministers berechnet wird. Dabei wird ein persönlicher Anteilsfaktor von 20% vereinbart.

Berlin, den 23.12.1994

Prof. Dr. Lothar Willmitzer

Berlin, den 23.12.1994

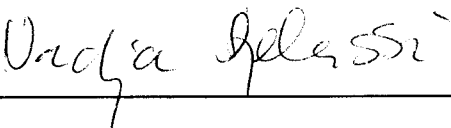
Gernot J. Abel
REEL: 019767 FRAME: 0659

Our Ref.: UP-0034-PlantTec

DECLARATION

I, Nadja Djelassi, of Vossius & Partner, Siebertstr. 4, 81675 Munich, Germany, hereby declare that I am conversant with the English and German languages and am a competent translator thereof and certify that to the best of my knowledge and belief the attached document is a true and correct English translation of the Declaration on Assignment of Invention concerning Gernot J. Abel, dated 23 December 1994.

Signed this 23 March 2004



Nadja Djelassi

Our Ref.: UP-0034-PlantTec

**English translation of the Declaration on Assignment of Invention concerning Gernot J. Abel,
dated 23 December 1994**

Declaration on Assignment of Invention

Preamble

As Doctoral Candidate under Prof. Dr. Lothar Willmitzer

Mr. Gernot J. Abel

(Is in the following referred to as the Doctoral Candidate),

is currently working on a scientific paper

on the topic: DNA sequences of *Solanum tuberosum* encoding enzymes involved in starch synthesis, plasmids, bacteria, plant cells and transgenic plants containing these sequences.

In this connection, the Doctoral Candidate is given permission to use the Institute's library. Furthermore, he is allowed access to relevant research development at the Institute which also partly includes operating results of Schering and Schering know-how. This will take place e.g. in the form of records and oral explanations.

1. The **Doctoral Candidate** undertakes to observe secrecy with regard to all operating and business secrets that come to his knowledge in connection with the scientific work cited in the preamble. In cases of doubt, he will request the managing director to establish whether the prerequisites of secrecy are given.

The obligation of secrecy continues to be in effect also for the time after the doctoral thesis has been completed, for as long as the relevant state of knowledge has not become general knowledge.

2. The rights to economic utilisation and exploitation to the developments of the **Doctoral Candidate** not worthy of protection and the inventions of the **Doctoral Candidate** worthy of protection belong to the Institut für Genbiologische Forschung in Berlin GmbH. The **Doctoral Candidate**, as the sole inventor or joint inventor, is entitled to the creative rights and the possible copyrights as well as the inventor's credit in accordance with his qualitative contribution. To that extent, he is also entitled to be named as the sole or joint inventor in the application for protective right, should such an application for a protective right be filed, unless the **Doctoral Candidate**/Diploma Degree Candidate expressly waives his right to be named.
3. The Institut für Genbiologische Forschung in Berlin GmbH, in utilizing or exploiting the invention, will take adequate consideration so that the doctoral process of the Doctoral Candidate/the Diploma examination process of the Diploma Degree Candidate is not interfered with by the exploitation of an inventive step of the Doctoral Candidate.
4. In the event of an economic utilization and exploitation of the protective right arising from the invention, the Institut für Genbiologische Forschung in Berlin GmbH will pay the **Doctoral Candidate** a compensation, the amount of which will be calculated in accordance with the remuneration guidelines for employee invention of the Federal Minister of Labor. Here, the personal share in percent amounts to 20%.

Berlin, dated 23 December 1994

Berlin, dated 23 December 1994

[ILLEGIBLE SIGNATURE]
Prof. Dr. Lothar Willmitzer
Institut für Genbiologische Forschung in Berlin GmbH

[ILLEGIBLE SIGNATURE]
Gernot J. Abel **PATENT**
Doctoral Candidate

REEL: 019767 FRAME: 0661

RECORDATION FORM COVER SHEET PATENTS ONLY

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

To the Director of the U.S. Patent and Trademark Office:
Please record the attached document(s) or new address(es) below.

1. Name of Conveying Party(ies):

Gernot J. ABEL
Franziska SPRINGER
Jens KOSSMANN

Execution Date: **December 23, 2004; March 27, 2004; March 4, 2004**

Additional name(s) of conveying party(ies) attached? ☒ Yes ☐ No

2. Name and Address of Receiving Party(ies):

Name: INSTITUT FÜR GENBIOLOGISCHE FORSCHUNG BERLIN GMBH
Address: Ihnestr. 63
D-14195 Berlin
Country: Germany

Additional name(s) and address(es) attached? ☒ Yes ☐ No

3. Nature of Conveyance:

☒ Assignment ☐ Merger ☐ Change of Name ☐ Security Agreement
☐ Government Interest Assignment ☐ Executive Order 9424, Confirmatory License
☐ Other: _____

4. Application or patent number(s):

☐ This document is being filed together with a new application.

A. Patent Application No(s):
10/284,668

B. Patent No(s):
6,130,367
6,483,010

Others on additional sheet(s) attached? ☐ Yes ☒ No

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

Robert M. Schulman
Intellectual Property Department
Hunton & Williams LLP
1900 K Street, N.W.; Suite 1200
Washington, DC 20006-1109
(202) 955-1500 (telephone)
(202) 778-2201 (facsimile)

6. Total number of applications and patents involved:

Application(s): 1
+ Patent(s): 2
= Total: 3

7. Total Fee (37 CFR 1.21(h) & 3.41) \$ 120.00

☐ Authorized to be charged to Deposit Account
☒ Enclosed
☐ None required (government interest not affecting title)

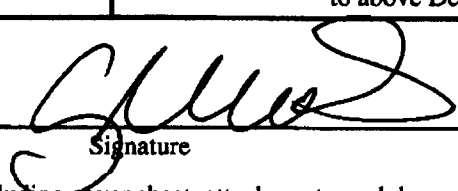
8. Payment Information

Deposit Account No.: 50-0206

☒ Charge any underpayment or credit any overpayment to above Deposit Account

9. Signature

Christopher J. Nichols, Ph.D. Reg. No. 55,984
Name of Person Signing


Signature

August 9, 2007
Date

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

47

10. Name of Conveying Party(ies):

Name: INSTITUT FÜR GENBIOLOGISCHE FORSCHUNG BERLIN GMBH
Address: Ihnestrasse 63
D-14195 Berlin
Country: Germany

Execution Date: August 26, 1994

Additional name(s) of conveying party(ies) attached?

☒ Yes☐ No**11. Name and Address of Receiving Party(ies):**

Name: Hoechst Schering AgroEvo GmbH
Address: Miraustrasse 54
13509 Berlin
Country: Germany

Additional name(s) and address(es) attached?

☒ Yes☐ No**12. Nature of Conveyance:**

- | | | | |
|--|---------------------------------|---|---|
| ☐ Assignment | ☐ Merger | ☐ Change of Name | ☐ Security Agreement |
| ☐ Government Interest Assignment | | ☐ Executive Order 9424, Confirmatory License | |
| ☒ Other: <u>Joint Research Agreement</u> | | | |

13. Name of Conveying Party(ies):

Name: Hoechst Schering AgroEvo GmbH
Address: Miraustrasse 54
13509 Berlin
Country: Germany

Execution Date: January 21, 2003

Additional name(s) of conveying party(ies) attached?

☒ Yes☐ No**14. Name and Address of Receiving Party(ies):**

Name: Aventis CropScience GmbH
Address: Frankfurt am Main
Country: Germany

Additional name(s) and address(es) attached?

☒ Yes☐ No**15. Nature of Conveyance:**

- | | | | |
|---|---------------------------------|---|---|
| ☐ Assignment | ☐ Merger | ☒ Change of Name | ☐ Security Agreement |
| ☐ Government Interest Assignment | | ☐ Executive Order 9424, Confirmatory License | |
| ☐ Other: _____ | | | |

16. Name of Conveying Party(ies):

Name: Aventis CropScience GmbH
Address: D-65929 Frankfurt am Main
Country: Germany

Execution Date: May 19, 2003

Additional name(s) of conveying party(ies) attached?

☒ Yes

☐ No

17. Name and Address of Receiving Party(ies):

Name: Bayer CropScience GmbH
Address: D-65929 Frankfurt am Main
Country: Germany

Additional name(s) and address(es) attached?

☒ Yes

☐ No

18. Nature of Conveyance:

☐ Assignment ☐ Merger
☐ Government Interest Assignment
☐ Other: _____

☒ Change of Name ☐ Security Agreement
☐ Executive Order 9424, Confirmatory License

19. Name of Conveying Party(ies):

Name: Bayer CropScience GmbH
Address: D-65929 Frankfurt am Main
Country: Germany

Execution Date: May 29, 2007

Additional name(s) of conveying party(ies) attached?

☐ Yes

☒ No

20. Name and Address of Receiving Party(ies):

Name: Bayer CropScience AG
Address: D-65929 Frankfurt am Main
Country: Germany

Additional name(s) and address(es) attached?

☐ Yes

☒ No

21. Nature of Conveyance:

☐ Assignment ☐ Merger ☒
☐ Government Interest Assignment ☐
☐ Other: _____

Change of Name ☐ Security Agreement
Executive Order 9424, Confirmatory License