

08-30-2007



HEET

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To the Director of the U.S. Pat.

hed documents or the new address(es) below.

8.28.07

1. Name of conveying party(ies)

Scott C. Trees

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

2. Name and address of receiving party(ies)

Name: Ball Horticultural Company

Internal Address: _____

Street Address: 622 Town Road

City: West Chicago

State: IL

Country: USA Zip: 60185-2698

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

3. Nature of conveyance/Execution Date(s):

Execution Date(s) May 7, 2007

- Assignment Merger
- Security Agreement Change of Name
- Joint Research 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)

B. Patent No.(s)

08/29/2007 DBYRNE 00000026 11895120

01 FC:8021 40.00 OP

Additional numbers attached? Yes No

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

Name: Audrey Charles

Internal Address: _____

Street Address: 622 Town Road

City: West Chicago

State: IL Zip: 60185-2698

Phone Number: 630 588-3118

Fax Number: 630 231-2590

Email Address: acharles@ballhelix.com

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 1.21(h) & 3.41) \$40.00

- Authorized to be charged by credit card
- Authorized to be charged to deposit account
- Enclosed
- None required (government interest not affecting title)

8. Payment Information

a. Credit Card Last 4 Numbers _____
Expiration Date _____

b. Deposit Account Number _____

Authorized User Name _____

9. Signature:

Audrey Charles
Signature

August 23, 2007
Date

Audrey Charles

Name of Person Signing

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

3

Documents to be recorded (including cover sheet) should be faxed to (703) 306-5995, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O.Box 1450, Alexandria, V.A. 22313-1450

Assignment

Serial No.: _____

Filed: _____

In Consideration of One Dollar and other good and valuable considerations, the receipt of which is hereby acknowledged, the entire right, title and interest in the invention or improvements of the undersigned in **Geranium Plant Named 'Ballursal'** and in the Application for Letters Patent of the United States therefor, executed by the undersigned concurrently herewith, and in any reissue or extension of any Letters Patent that may be granted upon said application are hereby assigned by the undersigned to **Ball Horticultural Company** an Illinois corporation, having offices at **622 Town Road, West Chicago, Illinois 60185** and the successors, legal representatives and assigns of **Ball Horticultural Company** (hereinafter collectively called said Assignee), and the Commissioner of Patents and Trademarks is hereby authorized and requested by the undersigned to issue said Letters Patent to said Assignee.

For said considerations it is hereby agreed by the undersigned, upon the request of said Assignee, to execute any necessary and proper oaths or affidavits relating to said application or required for the filing or prosecution of any divisional or continuing application thereof or for the filing or prosecution of any application for the reissue or extension of any Letters Patent that may be granted on said invention or improvements that said Assignee may deem necessary or expedient, and for the said considerations it is further agreed by the undersigned, upon the request of said Assignee, in the event of said application or any division thereof, or Letters Patent issued thereon, or any reissue or application for the reissue thereof, becoming involved in Interference, to cooperate to the best of the ability of the undersigned with said Assignee in the matters of preparing and executing the preliminary statement and giving and producing evidence in support thereof, and further to perform, upon such request, any and all affirmative acts to obtain said Letters Patent and vest all rights therein hereby conveyed in the said Assignee as fully and entirely as the same would have been held and enjoyed by the undersigned if this assignment and sale had not been made. And for the said considerations the entire right, title and interest in said invention or improvements, including all priority rights, and the right to claim priority rights and the privileges and benefits thereof, including those under the International Convention, and all other inventions, and the right to file applications for patent in said Assignee's own name for said invention or improvements in each and every country of the world are hereby assigned and granted by the undersigned to said Assignee. It is further agreed by the undersigned, upon the request of said Assignee, to execute any and all documents that shall be required of the undersigned to be executed in connection with any and all allocations for foreign Letters Patent therefore, necessary to invest title in said foreign applications and patents in said Assignee. The undersigned also further agrees, for the said considerations, upon the request of said Assignee, to promptly perform all lawful acts deemed by said Assignee to be necessary or advisable in connection with maintaining, enforcing, or transferring the resulting grants of said Letters Patent in the United States or foreign countries. It is agreed that such lawful acts include, but are not limited, taking oaths, executing declarations, powers, assignments and other papers and giving testimony.

Serial No.: _____

Filed: _____

The agent of record in such application for patent is hereby authorized and requested by the undersigned to insert in this Assignment the date and serial number thereof in the places provided therefore.

Scott C. Trees
[Scott C. Trees]

Executed this 17th day of May, 2007.

State of Illinois)

County of DuPage) ss.

On 5/7/07, before me, Nancy Jean Rempert
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Scott C. Trees
Scott C. Trees

_____ personally known to me
_____ 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.
Nancy Jean Rempert
Signature of Notary Public

Place Notary Seal Above

