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53**0-**752-5674 Oct-22-2007 10:02 AM USDA-ARS-OTT 5105595736

Docket No.: 0168.07 UC Davis Reference No. 2007-\$15

PATENT

ASSIGNMEN

WHEREAS, I, Greg T. Browne, residing at Davis, California, having jointly made an invention with Gale McGranahan, Charles Leslie, Wesley Hackett, James McKenna, Thomas Buzzo, Stephani Kucko and Michael McKenry, entitled Walnut Rootstock 'VX211', for which we have made application for Letters Patent of the United States, Serial No. 11/821,844, filed June 25, 2007; and

WHEREAS, the WORLDWIDE patent rights in my share said invention are assignable to the United States by virtue of my having made the invention while in the employ of the United States Department of Agriculture under applicable law and regulations of the United States Department of Agriculture which render the patent rights so assignable; and

WHEREAS, the United States, as represented by the Secretary of Agriculture, is desirous of acquiring an assignment of said patent rights;

NOW, THEREFORE, in consideration of these premises, I hereby assign said. WORLDWIDE patent rights to the United States of America, as represented by the Secretary of Agriculture.

Executed Oct. 22 2007

g 7. Browne

RECORDED: 10/24/2007

PATENT REEL: 020013 FRAME: 0804

UCD PLANT PATHOLOGY