

## PATENT ASSIGNMENT

Electronic Version v1.1

Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT
CONVEYING PARTY DATA	
Name	Execution Date
Terry Berke	09/22/2008
RECEIVING PARTY DATA	
Name:	Seminis Vegetable Seeds, Inc.
Street Address:	37437 State Hwy. 16
City:	Woodland
State/Country:	CALIFORNIA
Postal Code:	95695
PROPERTY NUMBERS Total: 1	
Property Type	Number
Application Number:	12201233
CORRESPONDENCE DATA	
Fax Number:	(214)259-0910
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	
Phone:	214-259-0931
Email:	esondota@sonnenschein.com
Correspondent Name:	Robert E. Hanson
Address Line 1:	1717 Main Street
Address Line 2:	Suite 3400
Address Line 4:	Dallas, TEXAS 75201
ATTORNEY DOCKET NUMBER:	11000023-3252/SEMS:027US
NAME OF SUBMITTER:	Robert E. Hanson
Total Attachments: 2 source=SEMS027asg1#page1.tif source=SEMS027asg1#page2.tif	

OP \$40.00 12201233

500655169

PATENT  
REEL: 021572 FRAME: 0278

ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, the undersigned, does hereby:

SELL, ASSIGN AND TRANSFER to SEMINIS VEGETABLE SEEDS, INC. (the "Assignee"), having a place of business at 37437 State Highway 16, Woodland, California 95695, the entire right, title and interest for the United States and all foreign countries in and to any and all improvements which are disclosed in the application for United States Letters Patent, Serial No. 12/201,233 which has been filed on August 29, 2008 and is entitled "HABANERO PEPPER HYBRID PX11423486", which claims priority to Serial No. 60/969,138 filed August 30, 2007, such applications and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof; and generally do everything possible which the Assignee shall consider desirable for vesting title to such improvements in the Assignee, and for securing, maintaining and enforcing proper patent protection for such improvements;

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

Signature: Terry Berke  
Name: Terry Berke

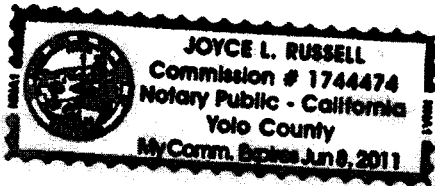
Date: 9/22/08

STATE OF California  
COUNTY OF Yolo

BEFORE ME, the undersigned authority, on this 22nd day of September, 2008 personally appeared Terry Berke, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same of his/her own free will for the purposes and consideration therein expressed.

Joyce L Russell  
Notary or Consular Officer

[SEAL]



SONNENSCHN NATH & ROSENTHAL LLP  
1717 MAIN STREET, SUITE 3400  
DALLAS, TEXAS 75201