

PATENT ASSIGNMENT

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SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT
CONVEYING PARTY DATA	
Name	Execution Date
Exelixis, Inc.	07/01/2005
RECEIVING PARTY DATA	
Name:	Agrinomics LLC
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PROPERTY NUMBERS Total: 1	
Property Type	Number
Application Number:	12400549
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ASSIGNMENT

WHEREAS, Agrinomics LLC, (hereinafter "Agrinomics") and Exelixis, Inc. (hereinafter "Exelixis"), through Exelixis' wholly owned subsidiary Exelixis Plant Sciences, Inc. (hereinafter "EPS") and through EPS' predecessor Agritope, Inc., previously entered into an agreement dated **July 1, 1999** (hereinafter "agreement") to prosecute and hold patent applications in the name of Agrinomics that pertain to discoveries made during a mutual collaboration relating to activation tagging in *Arabidopsis* (hereinafter "ACTTAG discovery(ies)").

WHEREAS, Exelixis owns all the right, title and interest to the ACTTAG discovery described and claimed in United States Utility Patent Serial No. **10/512,600**, filed **May 9, 2005**, entitled **GENERATION OF PLANTS WITH IMPROVED PATHOGEN RESISTANCE**.

WHEREAS, Exelixis is desirous of assigning said right, title and interest in said ACTTAG discovery and patent applications to Agrinomics LLC, pursuant to said agreement, and whereas Exelixis has received good and valuable consideration for this assignment, the receipt and sufficiency whereof are hereby acknowledged.

WHEREAS, Agrinomics LLC, is desirous of acquiring the entire right, title, and interest in and to said ACTTAG discovery and patent applications and the Letters Patents to be obtained therefore.

Whereby Exelixis hereby assigns to Agrinomics and Agrinomics' legal representatives, successors and assigns, the entire right, title, and interest (a) in said applications and inventions; (b) to all rights to apply for foreign patents on said inventions; (c) to any and all applications filed and any and all patents granted on said inventions in the United States or any foreign country, including each and every application filed and each and every patent granted on any application which is a division, substitution, continuation or non-provisional 37 CFR 1.53(b) application of any of said applications; and (d) to each and every reissue or extensions of any of said patents; and Exelixis hereby authorizes and requests the Commissioner of Patents and Trademarks to issue said Letters Patents to Agrinomics, LLC. Exelixis agrees to execute such additional assignments and other writings and do such additional acts as may be necessary or desirable in order to perfect this grant to Agrinomics.

Exelixis hereby authorizes Agrinomics or its legal representative to insert in this instrument the filing date and serial number of any said application or any other information that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

By: 

Pamela Simonton, Senior V.P. Patents & Licensing
Exelixis, Inc.

Witness:

By: 

Terri L. Sale
Patent Attorney