

**PATENT ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

|  |                                   |
|--|-----------------------------------|
| <b>SUBMISSION TYPE:</b>  | NEW ASSIGNMENT                    |
| <b>NATURE OF CONVEYANCE:</b>   | ASSIGNMENT                        |
| <b>CONVEYING PARTY DATA</b>  |                                   |
| <b>Name</b>  | <b>Execution Date</b>             |
| John David Miller  | 07/31/2009                        |
| Greg William Adams   | 07/31/2009                        |
| <b>RECEIVING PARTY DATA</b>  |                                   |
| <b>Name:</b>   | J.D. Irving, Limited              |
| <b>Street Address:</b>   | P.O. Box 5777, 300 Union Street   |
| <b>City:</b>   | St. John                          |
| <b>State/Country:</b>  | CANADA                            |
| <b>Postal Code:</b>  | E2L 4M3                           |
| <b>PROPERTY NUMBERS Total: 2</b>   |                                   |
| <b>Property Type</b>   | <b>Number</b>                     |
| <b>Application Number:</b>   | 60853745                          |
| <b>Application Number:</b>   | 12447217                          |
| <b>CORRESPONDENCE DATA</b>   |                                   |
| <b>Fax Number:</b>   | (416)361-1398                     |
| <i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i> |                                   |
| <b>Phone:</b>  | 416-364-7311                      |
| <b>Email:</b>  | cjamieson@bereskinparr.com        |
| <b>Correspondent Name:</b>   | Bereskin & Parr LLP               |
| <b>Address Line 1:</b>   | Scotia Plaza, 40 King Street West |
| <b>Address Line 2:</b>   | 40th Floor                        |
| <b>Address Line 4:</b>   | Toronto,, CANADA M5H 3Y2          |
| <b>ATTORNEY DOCKET NUMBER:</b>   | 14149-108                         |
| <b>NAME OF SUBMITTER:</b>  | Carmela DeLuca                    |
| Total Attachments: 4<br>source=EXECUTEDWWASSIGN#page1.tif                            |                                   |

**CH \$80.00 60853745**

**500948568**

**PATENT  
 REEL: 023160 FRAME: 0927**

source=EXECUTEDWASSIGN#page2.tif  
source=EXECUTEDWASSIGN#page3.tif  
source=EXECUTEDWASSIGN#page4.tif

WORLDWIDE

ASSIGNMENT

WHEREAS We, (1) **MILLER, John David** and (2) **ADAMS, Greg William**, whose full post office addresses are (1) 55 Elliot Avenue, Ottawa, Ontario K1S 0M3; and (2) 5 Rockridge Drive, Sussex Corner, New Brunswick, E4E 5R2, are inventors of an invention entitled **ENDOPHYTE ENHANCED SEEDLINGS WITH INCREASED PEST TOLERANCE AND METHODS** for which patent applications were filed as listed on Schedule A attached hereto,

AND WHEREAS **J.D. IRVING, LIMITED** whose full post office address is P.O. Box 5777, 300 Union Street, St. John, New Brunswick, E2L 4M3, has acquired from us our whole right, title and interest for the United States of America, Canada and all other countries in and to the said invention and in and to any Letters Patent that may be obtained therefore, and in and to said applications,

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of all of which is hereby acknowledged, we, (1) **MILLER, John David** and (2) **ADAMS, Greg William** by these presents confirm that we have sold, assigned and transferred and do hereby sell, assign and transfer unto the said **J.D. IRVING, LIMITED** our full and exclusive right to the said invention in the United States of America, Canada and all other countries and our entire right, title and interest in and to any and all Letters Patent which may be granted therefore, and our entire right, title and interest in and to said application, and in and to any divisions, continuations, continuations-in-part, renewals, re-examinations and extensions of said application and to any other patent application and patents that claim priority for the aforementioned patent application, together with our right to claim the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property based on said patent applications.

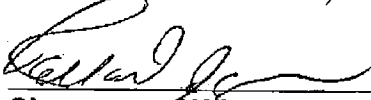
We agree that we will without further consideration do all such things and execute all such documents as may be necessary or desirable to obtain and maintain patents for said invention and for additions and modifications thereto in any and all countries, and to vest title thereto in said **J.D. IRVING, LIMITED**, its successors, assigns and legal representatives or nominees.

PATENT  
REEL: 023160 FRAME: 0929

We hereby authorize and request the Commissioner of Patents and Trademarks in the U.S. and all other equivalent patent granting authorities in other jurisdictions to issue said Letters Patent to the said **J.D. IRVING, LIMITED**, the assignee of our entire right, title and interest in and to the same, for its sole use and benefit, and for the use and benefit of its successors and assigns, to the full end of the term for which Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made.


The undersigned hereby grant the firm of Bereskin & Parr LLP (Box 401, 40 King Street West, Toronto, Ontario M5H 3Y2, Canada) the power to insert on this assignment any further identification which may be necessary in order to comply with the rules of the United States Patent and Trademark Office or other Patent Offices in the world for recordation of this document.

Signed at Sussex, NB this 31<sup>st</sup> day of July, 2009,

  
Signature of Witness

  
JOHN DAVID MILLER

Signed at Sussex, NB this 31<sup>st</sup> day of July, 2009,

  
Signature of Witness

  
GREG WILLIAM ADAMS

**J.D. IRVING, LIMITED** confirms and accepts the assignment of the invention and all related patent applications and patents.

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 2009,

**J.D. IRVING, LIMITED**

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
By:  
**J.D. IRVING, LIMITED**  
Title:  
Date:

We hereby authorize and request the Commissioner of Patents and Trademarks in the U.S. and all other equivalent patent granting authorities in other jurisdictions to issue said Letters Patent to the said J.D. IRVING, LIMITED, the assignee of our entire right, title and interest in and to the same, for its sole use and benefit, and for the use and benefit of its successors and assigns, to the full end of the term for which Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made.

The undersigned hereby grant the firm of Bereskin & Parr LLP (Box 401, 40 King Street West, Toronto, Ontario M5H 3Y2, Canada) the power to insert on this assignment any further identification which may be necessary in order to comply with the rules of the United States Patent and Trademark Office or other Patent Offices in the world for recordation of this document.

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 2009,

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
JOHN DAVID MILLER

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 2009,

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
GREG WILLIAM ADAMS

J.D. IRVING, LIMITED confirms and accepts the assignment of the invention and all related patent applications and patents.

Signed at Saint John NB. this 24<sup>th</sup> day of July, 2009,



\_\_\_\_\_  
Signature of Witness  
JOHN C. PAPPAS

J.D. IRVING, LIMITED



By:  
J.D. IRVING, LIMITED  
Title: Assistant Secretary  
Date: July 24, 2009

SCHEDULE "A"

| Country   | Title  | Application No.   | Filing Date      |
|-----------|--|-------------------|------------------|
| Canada    | Endophyte Enhanced Seedlings with Increased Pest Tolerance and Methods | 2,562,175         | October 24, 2006 |
| U.S.A.    | Endophyte Enhanced Seedlings with Increased Pest Tolerance and Methods | 60/853,745        | October 24, 2006 |
| Australia | Endophyte Enhanced Seedlings with Increased Pest Tolerance and Methods | 2006233180        | October 25, 2006 |
| PCT       | Endophyte Enhanced Seedlings with Increased Pest Tolerance and Methods | PCT/CA2007/001878 | October 24, 2007 |
| Europe    | Endophyte enhanced seedlings with increased pest tolerance and methods | 07816028.0        | October 24, 2007 |
| Canada    | Endophyte Enhanced Seedlings with Increased Pest Tolerance and Methods | 2,667,568         | October 24, 2007 |
| Australia | Endophyte Enhanced Seedlings with Increased Pest Tolerance and Methods | 2007308699        | October 24, 2007 |
| U.S.A.    | Endophyte Enhanced Seedlings with Increased Pest Tolerance and Methods | 12/447,217        | October 24, 2007 |
| Russia    | Endophyte Enhanced Seedlings with Increased Pest Tolerance and Methods | 2009119495        | October 24, 2007 |