PATENT ASSIGNMENT

Electronic Version v1.1
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SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT

CONVEYING PARTY DATA

Name	Execution Date
Exelixis Plant Sciences, Inc.	11/26/2007

RECEIVING PARTY DATA

Name:	Agrigenetics, Inc.
Street Address:	9330 Zionsville Road
City:	Indianapolis
State/Country:	INDIANA
Postal Code:	46268

PROPERTY NUMBERS Total: 2

Property Type	Number
Application Number:	13304189
Application Number:	13304193

CH $80.00 13304189

CORRESPONDENCE DATA

Fax Number: (503)595-5301
Phone: (503) 595-5300
Email: gregory.scott@klarquist.com
Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.
Correspondent Name: Klarquist Sparkman, LLP
Address Line 1: 121 SW Salmon Street
Address Line 2: One World Trade Center, Suite 1600
Address Line 4: Portland, OREGON 97204

ATTORNEY DOCKET NUMBER:	7896-72581-05 AND -06GKS
NAME OF SUBMITTER:	Gregory K. Scott

Total Attachments: 13
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PATENT ASSIGNMENT AGREEMENT

THIS **PATENT ASSIGNMENT AGREEMENT** (this "**Agreement**") is entered into this 4th day of September, 2007, ("**Effective Date**") by and among **AGRIGENETICS, INC.**, a Delaware corporation (the "**Purchaser**"), **EXELIXIS PLANT SCIENCES, INC.**, a Delaware corporation ("**EPS**"), and **AGRINOMICS LLC**, a Delaware limited liability company ("**Agrinomics**"). EPS and Agrinomics are collectively referred to herein as the "**Seller**". The Purchaser, EPS and Agrinomics are individually referred to herein as a "**Party**" or collectively as the "**Parties**".

RECITALS

WHEREAS, the Purchaser, the Seller, Mycogen Corporation, and Exelixis, Inc. are party to that certain Asset Purchase and License Agreement of even date herewith (the "**Purchase Agreement**"; capitalized terms used but not defined in this Agreement shall have the meanings given to them in the Purchase Agreement); and

WHEREAS, the Seller desires to transfer and assign to the Purchaser the Purchased Patents.

NOW, THEREFORE, in consideration of the covenants, conditions, and undertakings hereinafter set forth, it is agreed by and among the Parties as follows:

1. For the good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the Seller, the Seller does hereby sell, assign, transfer and convey to the Purchaser all of the Seller's right, title and interest in, to and under: (a) the patents and patent applications set forth on Schedule A, in and to the inventions claimed or claimable therein, in the United States and its territories and in foreign countries, as well as any reissue, renewal, division, continuation or continuation-in-part or any foreign counterpart thereof or any other application that claims priority to the patents and patent applications set forth in Schedule A, together with all past, present, or future claims arising out of any infringement thereof, and all rights to claim priority on the basis of such patent applications and/or patents in the United States or in any foreign country; and (b) the patents and patent applications set forth on Schedule B, in and to the inventions claimed or claimable therein as well as any reissue, renewal, division, continuation or continuation-in-part or any other application that claims priority to the patents and patent applications set forth in Schedule B, in each case solely in the applicable country set forth in Schedule B and in no other countries, together with all past, present, or future claims arising out of any infringement thereof, and all rights to claim priority on the basis of such patent applications and/or patents solely in the applicable countries set forth on Schedule B and in no other countries, all such rights under (a) and (b) above to be held and enjoyed by the Purchaser, for its own use and benefit and for the use and benefit of its successors, assigns or other legal representatives as fully and entirely as the same would have been held and enjoyed by the Seller if this Agreement and sale had not been made.

2. The Seller hereby binds itself, its successors, assigns or other legal representatives, properly to execute without further consideration, any and all applications, petitions, oaths and assignments or other papers and instruments that may be necessary in order to carry into full force and effect the sale, assignment, transfer and conveyance hereby made or intended to be made.

3. Nothing contained in this Agreement is intended to limit any of the rights or remedies available to the Seller or the Purchaser under the Purchase Agreement. In the event of any conflict between this Agreement and the Purchase Agreement, the Purchase Agreement shall control.

IN WITNESS WHEREOF, each party has executed this Agreement by its proper officers thereunto duly authorized.

EXELIXIS PLANT SCIENCES, INC.

Signature: _____

Name: George Scangos

Title: President and Chief Executive Officer

Date: November 26, 2007

State of California)
) ss.
County of San Mateo)

On this 26th day of November, 2007 before me personally appeared the foregoing individual, who executed the foregoing instrument and who acknowledged to me that he/~~she~~ executed the same of his/~~her~~ own free will for the purposes therein set forth.

(seal)

PERLA C. MIJARES
Commission # 1692368
Notary Public - California
San Mateo County
My Comm. Expires Oct 3, 2010

Perla C. Mijares
Notary Public,

San Mateo County, State of California
My Commission Expires: October 3, 2010

AGRINOMICS LLC

Signature: _____

Name: George Seengos

Title: President and Chief Executive Officer

Date: November 26, 2007

State of California)
) ss.
County of San Mateo)

On this 26th day of November, 2007 before me personally appeared the foregoing individual, who executed the foregoing instrument and who acknowledged to me that he/~~she~~ executed the same of his/~~her~~ own free will for the purposes therein set forth.

(seal)

PERLA C. MIJARES
Commission # 1692368
Notary Public - California
San Mateo County
My Comm. Expires Oct 3, 2010

Perla C. Mijares
Notary Public,

San Mateo County, State of California
My Commission Expires: October 3, 2010

AGRIGENETICS, INC.

Signature: _____

Name: Andrea T. Borucki

Title: General Patent Counsel

Date: 12 October 2007

State of INDIANA)
) ss.
County of MARION)

On this 12th day of October, 2007 before me personally appeared the foregoing individual, who executed the foregoing instrument and who acknowledged to me that he/she executed the same of his/her own free will for the purposes therein set forth.

_____
Notary Public,

(seal)

Hamilton County, State of Indiana
My Commission Expires: July 23, 2015

SCHEDULE A

Activation Tagging Patents

Title	County	Filing Date	Application No. / Patent No
System for Functional Gene Discovery in Plants	US	5/1/2000	60/201,245
System for Functional Gene Discovery in Plants	US	5/1/2001	09/846,758 (7,250,553)
System for Functional Gene Discovery in Plants	US	7/17/2007	11/779,036
System for Functional Gene Discovery in Plants	Australia	5/1/2001	AU5926601
System for Functional Gene Discovery in Plants	EPO	5/1/2001	EP01932764
System for Functional Gene Discovery in Plants	Canada	5/1/2001	2,406,104
System for Functional Gene Discovery in Plants	PCT	5/1/2001	WO2001US13886A
Trait Associated Gene Identification Method	US	3/12/1999	60/124,232
Trait Associated Gene Identification Method	US	3/9/2000	09/522,334 (US20020157130)
Trait Associated Gene Identification Method	Australia	3/9/2000	AU3736900
Trait Associated Gene Identification Method	Canada	3/9/2000	CA2364275
Trait Associated Gene Identification Method	EPO	3/9/2000	EP00916233
Trait Associated Gene Identification Method	Japan	3/92000	JP2000603415
Trait Associated Gene Identification Method	New Zealand	3/92000	NZ51445900
Trait Associated Gene Identification Method	PCT	3/9/2000	WO2000US6298A

Increased Oil and Protein Content Portfolio (non-Renessen non-BCS)

Title	County	Filing Date	Application No.
Generation of Plants with altered oil content - HIO41	US, National	20-Oct-06	11/578,894
Generation of plants with altered fiber, digestible protein, total protein, or oil content	US Prov.	15-Jun-07	60/944,421
Generation of plants with altered fiber, digestible protein, total protein or oil content	US Prov.	15-Jun-07	60/944,424

Seed Yield and Biomass Portfolio

Title	County	Filing Date	Application No.
Generation of plants with increased seed yield or plant biomass	US Prov.	6/8/2007	60/942,972
Generation of plants with increased seed yield or plant biomass	US Prov.	6/8/2007	60/942,974
Generation of plants with increased seed yield or plant biomass	US Prov.	6/8/2007	60/942,977

Plant Morphology Portfolio

		CTR1 Homologue from Melon	US	7/14/2000	60/218,307
4257-0029.30	6616-74080-01	CTR1 Homologue from Melon	US	13-Apr-04	US Utility 6,720,476

Purchased Promoter Patents

1.

EP03-008C "Seed-associated Promoter Sequences"	US Prov.	8/1/2002	60/400,170
EP03-008C "Seed-associated Promoter Sequences"	US	8/1/2003	10/633,279 (7.179,960)
EP03-008C "Seed-associated Promoter Sequences"	Australia	8/1/2003	AU2003257160A
EP03-008C "Seed-associated Promoter Sequences"	Canada	8/1/2003	CA2494368
EP03-008C "Seed-associated Promoter Sequences"	EPO	8/1/2003	EP03767142
EP03-008C "Seed-associated Promoter Sequences"	PCT	8/1/2003	WO2003US24330A

2.

4257-0019 "Banana and Melon Promoters for the Expression of Transgenes in Plants" (Mel-Actin promoter)	US Prov.	3/19/1999	60/125,310
Banana and Melon Promoters for the Expression of Transgenes in Plants	US	3/17/2000	09/527,972 (6,642,438)
Banana and Melon Promoters for the Expression of Transgenes in Plants	US	5/6/2003	10/431,304
Banana and Melon Promoters for the Expression of Transgenes in Plants	Australia	3/17/2000	AU3900200
Banana and Melon Promoters for the Expression of Transgenes in Plants	Canada	3/17/2000	CA2365259
Banana and Melon Promoters for the Expression of Transgenes in Plants	EPO	3/17/2000	EP00918138
Banana and Melon Promoters for the Expression of Transgenes in Plants	Japan	3/17/2000	JP20000317
Banana and Melon Promoters for the Expression of Transgenes in Plants	PCT	3/17/2000	WO2000US7293A

3.

4257-0014 "Raspberry Promoter for the Expression of Transgenes in Plants"	US	12/27/1996	08/777,147 (US 6,054,635)

4. U.S. Patent No. 6,118,049

Synthetic hybrid plant promoter	US	9/18/1997	60/059,234
Synthetic hybrid tomato E4/E8 plant promoter	US	9/18/1998	09/157,077 (6,118,049)
Synthetic hybrid plant promoter	Australia	9/18/1998	AU1061199
Synthetic hybrid plant promoter	Canada	9/18/1998	CA2304257
Synthetic hybrid plant promoter	EPO	9/18/1998	EP98953173
Synthetic hybrid plant promoter	Japan	9/181998	JP200511856
Synthetic hybrid plant promoter	New Zealand	9/18/1998	NZ50379198
Synthetic hybrid plant promoter	PCT	9/18/1998	WO1998US19571A

5.

PLANT TISSUE/STAGE SPECIFIC PROMOTERS FOR REGULATED EXPRESSION OF TRANSGENES IN PLANTS	US	1/29/1996	08/592,936 (5,783,393)
PLANT TISSUE/STAGE SPECIFIC PROMOTERS FOR REGULATED EXPRESSION OF TRANSGENES IN PLANTS	US	7/8/1998	(5,929,302)
PLANT TISSUE/STAGE SPECIFIC PROMOTERS FOR REGULATED EXPRESSION OF TRANSGENES IN PLANTS	PCT	1/27/1997	WO1997US1443
PLANT TISSUE/STAGE SPECIFIC PROMOTERS FOR REGULATED EXPRESSION OF TRANSGENES IN PLANTS	Australia	1/27/1997	AU1846697 (AU712460)
PLANT TISSUE/STAGE SPECIFIC PROMOTERS FOR REGULATED EXPRESSION OF TRANSGENES IN PLANTS	Canada	1/27/1997	CA2243969
PLANT TISSUE/STAGE SPECIFIC PROMOTERS FOR REGULATED EXPRESSION OF TRANSGENES IN PLANTS	EPO	1/27/1997	EP97904071
PLANT TISSUE/STAGE SPECIFIC PROMOTERS FOR REGULATED EXPRESSION OF TRANSGENES IN PLANTS	Japan	1/17/1997	JP52710997

6.

RASPBERRY PROMOTERS FOR EXPRESSION OF TRANSGENES IN PLANTS	US	1/24/1997	08/788,928 (5,783,394)
RASPBERRY PROMOTERS FOR EXPRESSION OF TRANSGENES IN PLANTS	PCT	1/28/1997	WO1997US01275
RASPBERRY PROMOTERS FOR EXPRESSION OF TRANSGENES IN PLANTS	Australia	1/28/1997	AU1755997 (AU712253)
RASPBERRY PROMOTERS FOR EXPRESSION OF TRANSGENES IN PLANTS	Canada	1/28/1997	CA2243850
RASPBERRY PROMOTERS FOR	EPO	1/28/1997	EP97904883

EXPRESSION OF TRANSGENES IN PLANTS			
RASPBERRY PROMOTERS FOR EXPRESSION OF TRANSGENES IN PLANTS	Japan	1/28/1997	JP52707097

7.

Apple promoters for expression of transgenes in plants	US	4/30/1999	60/132,124
Apple promoters for expression of transgenes in plants	US	4/27/2000	09/560,419 (6,392,122)
Apple promoters for expression of transgenes in plants	Australia	4/27/2000	AU4492900
Apple promoters for expression of transgenes in plants	PCT	4/27/2000	WO2000US11231A

8.

MELON PROMOTERS FOR EXPRESSION OF TRANSGENES IN PLANTS	US	3/17/2000	60/190,414
	US	3/16/2001	09/811,093 (2002133850)
MELON PROMOTERS FOR EXPRESSION OF TRANSGENES IN PLANTS	Australia	3/16/2001	AU4748001
MELON PROMOTERS FOR EXPRESSION OF TRANSGENES IN PLANTS	Canada	3/16/2001	CA2401991
MELON PROMOTERS FOR EXPRESSION OF TRANSGENES IN PLANTS	EPO	3/16/2001	EP01920427
MELON PROMOTERS FOR EXPRESSION OF TRANSGENES IN PLANTS	PCT	3/16/2001	WO2001US8430A

Dow AgroSciences Related IP

Title	App. Type	App. Number	Filing Date
GENERATION OF PLANTS WITH ALTERED PROTEIN, FIBER, OR OIL CONTENT	PROVISIONAL	60/866,053	November 15, 2006
GENERATION OF PLANTS WITH ALTERED PROTEIN, FIBER, OR OIL CONTENT	PROVISIONAL	60/866,055	November 15, 2006
GENERATION OF PLANTS WITH ALTERED PROTEIN, FIBER, OR OIL CONTENT	PROVISIONAL	60/866,056	November 15, 2006
GENERATION OF PLANTS WITH ALTERED PROTEIN, FIBER, OR OIL CONTENT	PROVISIONAL	60/866,059	November 15, 2006
GENERATION OF PLANTS WITH ALTERED PROTEIN, FIBER, OR OIL CONTENT	PROVISIONAL	60/866,060	November 15, 2006

Title	App. Type	App. Number	Filing Date
RESISTANCE TO AUXINIC HERBICIDE	PROVISIONAL	60/783015	3/15/2006
RESISTANCE TO AUXINIC HERBICIDES	U.S. UTILITY	11/686,844	March 15, 2007
GENERATION OF PLANTS WITH ALTERED FIBER, DIGESTIBLE PROTEIN, TOTAL PROTEIN, OR OIL CONTENT	PROVISIONAL	60/944,418	June 15, 2007
GENERATION OF PLANTS WITH ALTERED FIBER, DIGESTIBLE PROTEIN, TOTAL PROTEIN, OR OIL CONTENT	PROVISIONAL	60/943,548	June 12, 2007
GENERATION OF PLANTS WITH ALTERED FIBER, DIGESTIBLE PROTEIN, TOTAL PROTEIN, OR OIL CONTENT	PROVISIONAL	60/914,266	April 26, 2007
GENERATION OF PLANTS WITH ALTERED FIBER, DIGESTIBLE PROTEIN, TOTAL PROTEIN, OR OIL CONTENT	PROVISIONAL	60/914,269	April 26, 2007
GENERATION OF PLANTS WITH ALTERED FIBER, DIGESTIBLE PROTEIN, TOTAL PROTEIN, OR OIL CONTENT	PROVISIONAL	60/914,271	April 26, 2007
GENERATION OF PLANTS WITH ALTERED FIBER, DIGESTIBLE PROTEIN, TOTAL PROTEIN, OR OIL CONTENT	PROVISIONAL	60/914,272	April 26, 2007
GENERATION OF PLANTS WITH ALTERED FIBER, DIGESTIBLE PROTEIN, TOTAL PROTEIN, OR OIL CONTENT	PROVISIONAL	60/914,274	April 26, 2007

Drought Portfolio

Title	Country	Filing Date	Application No.
Generation of Plants with improved drought tolerance (DRO2)	US	3/27/2002	60/368,650
Generation of Plants with improved drought tolerance (DRO2)	PCT	3/27/2003	PCT/US2003/009479 WO2003081988
Generation of Plants with improved drought tolerance (DRO2)	Australia	3/27/2003	AU2003224789
Generation of Plants with improved drought tolerance (DRO2)	Canada	3/27/2003	CA2,498,668
Generation of Plants with improved drought tolerance (DRO2)	United States	5/8/2005	10/509,691 (20050257294)
Generation of Plants with improved drought tolerance (DRO3)	US	6/24/2003	60/482,139
Generation of Plants with improved drought tolerance (DRO3)	PCT	6/23/2004	PCT/US2004/020321 WO2005002325
Generation of Plants with improved drought tolerance (DRO3)	United States	12/22/2005	10/562,106
Generation of Plants with improved drought tolerance (DRO5)	US	6/24/2003	60/482,075
Generation of Plants with improved drought tolerance (DRO5)	PCT	6/23/2004	PCT/US2004/020323 WO2005002326
Generation of Plants with improved drought tolerance (DRO5)	United States	12/22/2005	10/562,309
Generation of Plants with improved drought tolerance (DRO5)	European Union	6/23/2004	EP04756059.4

Biotic Stress Portfolio (not vegetable seed partner-related)

Title	Country	Filing Date	Application No.
Generation of plants with improved pathogen resistance	US	3/27/2002	60/368,613
Generation of plants with improved pathogen resistance – PPR 1	US	27-Mar-03	10/402,366 (2003226170)
Generation of plants with improved pathogen resistance – PPR 1	Australia	27-Mar-03	AU2003226098
Generation of plants with improved pathogen resistance – PPR 1	Canada	27-Mar-03	CA2,498,465
Generation of plants with improved pathogen resistance – PPR 1	US	24-Sept-04	10/509,669 (2006225149)

Generation of plants with improved pathogen resistance	PCT	3/27/2003	PCT/US03/09485 WO2003081978

Plant Morphology Portfolio

Title	Country	Filing Date	Application No.
Identification and characterization of a pagoda phenotype (PGD) in plants	US	5/2/2000	60/201,329
Identification and characterization of a pagoda phenotype (PGD) in plants	US	1-May-01	09/847,057 (6,509,191)
Identification and characterization of a pagoda phenotype (PGD) in plants	Australia	5/1/2001	AU5926301
Identification and characterization of a pagoda phenotype (PGD) in plants	PCT	5/1/2001	WO2001US13883 (WO2001083791)

Oil Content Portfolio

Title	Country	Filing Date	Application No.
GENERATION OF PLANTS WITH ALTERED OIL CONTENT	US	12/18/2002	60/434763
GENERATION OF PLANTS WITH ALTERED OIL CONTENT	PCT	12/18/2003	PCT/US03/41146
GENERATION OF PLANTS WITH ALTERED OIL CONTENT	AUSTRALIA	18-Dec-03	AU2003302745
GENERATION OF PLANTS WITH ALTERED OIL CONTENT	BRAZIL	18-Dec-03	PI0316887
GENERATION OF PLANTS WITH ALTERED OIL CONTENT	CANADA	18-Dec-03	CA2,509,816
GENERATION OF PLANTS WITH ALTERED OIL CONTENT	CHINA	18-Dec-03	CN200380107098
GENERATION OF PLANTS WITH	EUROPE	18-Dec-03	EP03811675 (EP1571901)

ALTERED OIL CONTENT			
GENERATION OF PLANTS WITH ALTERED OIL CONTENT	MEXICO	17-Jun-05	PA/a/2005/006758
GENERATION OF PLANTS WITH ALTERED OIL CONTENT	U.S. NAT'L	1/17/06	10/539,213 (2006168685)
GENERATION OF PLANTS WITH ALTERED OIL CONTENT	SOUTH AFRICA	18-Dec-03	2005/05147
Modifying malate metabolizing enzymes and enzymes that affect functioning of the glyoxylate pathway to alter oil content in a plant	US	12/18/2002	60/434601
GENERATION OF PLANTS WITH ALTERED OIL CONTENT	PCT	12/18/2003	PCT/US03/40987 WO2004056967
GENERATION OF PLANTS WITH ALTERED OIL CONTENT	PCT	12/18/2003	PCT/US03/40988 WO2004056968
GENERATION OF PLANTS WITH ALTERED OIL CONTENT	U.S. NAT'L	17-Jun-05	10/539,214 (20060174374)
GENERATION OF PLANTS WITH ALTERED OIL CONTENT	U.S. NAT'L	17-Jun-05	10/539,215 (2006174375)
GENERATION OF PLANTS WITH ALTERED OIL CONTENT	Australia	12/18/2003	AU2003299824
GENERATION OF PLANTS WITH ALTERED OIL CONTENT	Australia	12/18/2003	AU2003302260
GENERATION OF PLANTS WITH	Brazil	12/18/2003	PI0316890

ALTERED OIL CONTENT			
GENERATION OF PLANTS WITH ALTERED OIL CONTENT	BRAZIL	18-Dec-03	PI0316891
	Canada	12/18/2003	CA2,509,836
GENERATION OF PLANTS WITH ALTERED OIL CONTENT	CANADA	18-Dec-03	CA2,509,838
GENERATION OF PLANTS WITH ALTERED OIL CONTENT	China	12/18/2003	CN200380107055 (CN1728938)
GENERATION OF PLANTS WITH ALTERED OIL CONTENT	CHINA	18-Dec-03	CN200380107099 (CN1728940)
GENERATION OF PLANTS WITH ALTERED OIL CONTENT	EPO	12/18/2003	EP03800098 (EP1571897)
GENERATION OF PLANTS WITH ALTERED OIL CONTENT	EUROPE	18-Dec-03	EP03810076 (EP1571900)
GENERATION OF PLANTS WITH ALTERED OIL CONTENT	Mexico	6/17/2005	MXPA05006760
GENERATION OF PLANTS WITH ALTERED OIL CONTENT	MEXICO	17-Jun-05	PA/a/2005/006761
GENERATION OF PLANTS WITH ALTERED OIL CONTENT	SOUTH AFRICA	18-Dec-03	2005/05152
	South Africa	6/24/2005	ZA200505146

SCHEDULE B

Title	Country	Filing Date	Application No.
Generation of Plants with altered oil content - HIO1004	Canada	26-May-05	2,568,026
Generation of Plants with altered oil content - HI1005	Canada	26-May-05	2,568,017
Generation of Plants with altered oil content - isocitrate lyase	Australia	19-Mar-03	2003224730
Generation of Plants with altered oil content - isocitrate lyase	Canada	19-Mar-03	2,479,843