

12/22/2014



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Form PT  
OMB No. 0705-0027 (exp. 04/30/2015)U.S. PTO  
14/544204  
12/09/2014U.S. DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

12/9/14		RECORDATION FORM COVER SHEET PATENTS ONLY	
To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.			
<b>1. Name of conveying party(ies)</b> Joseph MacIlvaine, Eric Mercure and John Etchamendy  Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<b>2. Name and address of receiving party(ies)</b> Name: <u>Paramount Farming Company</u> Internal Address: _____ Street Address: <u>33141 East Lerdo Hwy</u> City: <u>Bakersfield</u> State: <u>CA</u> Country: <u>US</u> Zip: <u>93306</u> Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>3. Nature of conveyance/Execution Date(s):</b> Execution Date(s) <u>November 24, 2014, November 24, 2014 and November 24, 2014</u> <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Joint Research Agreement <input type="checkbox"/> Government Interest Assignment <input type="checkbox"/> Executive Order 9424, Confirmatory License <input type="checkbox"/> Other _____			
<b>4. Application or patent number(s):</b> A. Patent Application No.(s)  Unknown, filed herewith  Additional numbers attached? <input type="checkbox"/> Yes <input type="checkbox"/> No		<input checked="" type="checkbox"/> This document serves as an Oath/Declaration (37 CFR 1.63). B. Patent No.(s)	
<b>5. Name and address to whom correspondence concerning document should be mailed:</b> Name: <u>Andrew N. Merickel</u> Internal Address: _____ Street Address: <u>2040 Main Street, 14th Floor</u> City: <u>Irvine</u> State: <u>CA</u> Zip: <u>92614</u> Phone Number: <u>949-760-0404</u> Docket Number: <u>PAMO.007P</u> Email Address: <u>efiling@knobbe.com</u>		<b>6. Total number of applications and patents involved:</b> <u>1</u>  <b>7. Total fee (37 CFR 1.21(h) &amp; 3.41)</b> \$ <u>40</u> <input checked="" type="checkbox"/> Authorized to be charged to deposit account <input type="checkbox"/> Enclosed <input type="checkbox"/> None required (government interest not affecting title)	
<b>9. Signature:</b>  Andrew N. Merickel Name of Person Signing		<b>8. Payment Information</b> Deposit Account Number <u>11-1410</u> Authorized User Name <u>XXXXXXXXXXXXXXXXXXXX</u> Date <u>December 9, 2014</u> Total number of pages including cover sheet, attachments, and documents: <u>4</u>	

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:  
 Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, V.A. 22313-1450

**COMBINED DECLARATION & ASSIGNMENT (37 CFR 1.63(e))**

*Application Data Sheet filed previously or concurrently*

Docket No.: PAMO.007P

Page 1 of 4

Title: PARAMOUNT PISTACHIO ROOTSTOCK #4

Inventors: Joseph MacIvaine, Eric Mercure and John Etchamendy

**Declaration**

This Declaration is directed to the application identified above that:

Is attached, where "attached" means filed concurrently with.

As a named inventor, I declare that:

I have asexually reproduced the plant to which this application applies.

The above-identified application was made or authorized to be made by me.

I believe that I am the original inventor or an original joint inventor in the application.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 USC 1001 by fine or imprisonment of not more than five (5) years, or both.

I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

**Assignment from Inventors**

WHEREAS, **above-identified inventors** (individuals hereinafter "ASSIGNOR") invented certain new and useful improvements, technology, inventions, developments, ideas, ornamental designs, or discoveries, and hereby assign or are under an obligation to assign to the below identified Assignee the above-titled application (collectively hereinafter referred to as the "Work") for which an application for Letters Patent in the United States (identified above) has been prepared for filing with the United States Patent and Trademark Office (hereinafter the "Application").

AND WHEREAS, **Paramount Farming Company**, with its principal place of business at 33141 East Lerdo Hwy, Bakersfield, CA 93306. (hereinafter the "ASSIGNEE"), desires to acquire the entire right, title, and interest in and to the Application and the Work.

NOW, THEREFORE, for good and valuable consideration of which receipt is hereby acknowledged, ASSIGNOR hereby acknowledges that ASSIGNOR has sold, assigned, transferred and set over, and by these presents does hereby sell, assign, transfer and set over, unto said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in the Application and the Work, including all patent properties filed or issued upon the Application and the Work; where "Patent Properties" include, but are not limited to:

all provisional applications relating thereto;

all nonprovisional applications claiming priority to aforementioned provisional(s) and/or the present Application, including, all divisions, continuations, continuations-in-part, and reissues, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof; and

all rights of priority under International Conventions and any related Letters Patent which may hereafter be granted or filed in any country or countries foreign to the United States, all extensions, renewals and reissues thereof.

ASSIGNOR hereby acknowledges the ASSIGNEE as the Applicant for all aforementioned patent properties, and authorizes and requests the Commissioner of Patents of the United States, and any

**PATENT**

**REEL: 034703 FRAME: 0519**

**COMBINED DECLARATION & ASSIGNMENT (37 CFR 1.63(e))**

*Application Data Sheet filed previously or concurrently*

Docket No.: PAMO.007P

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Title: PARAMOUNT PISTACHIO ROOTSTOCK #4

Inventors: Joseph MacIvaine, Eric Mercure and John Etchamendy

Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all related Letters Patent to the ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND ASSIGNOR DOES HEREBY sell, assign, transfer, and convey to ASSIGNEE, its successors, legal representatives, and assigns all claims for damages and all remedies arising out of any violation of the rights assigned hereby that may have accrued prior to the date of assignment to ASSIGNEE, or may accrue hereafter, including, but not limited to, the right to sue for, collect, and retain damages for past infringements of said Letters Patent before or after issuance.

AND ASSIGNOR DOES HEREBY covenant and agree that ASSIGNOR will communicate to said ASSIGNEE, its successors, legal representatives and assigns, any facts known to ASSIGNOR respecting the Work, and testify in any legal proceeding, assist in the preparation of any other Patent Property relating to the Application and the Work or any improvements made thereto, sign/execute all lawful papers, authorize the filing of and execute and make all rightful oaths and/or declarations in connection with the Application and the Work including any improvements made thereto, any patent applications filed therefrom, and any continuing application filed from any of the aforementioned applications, and generally do everything possible to aid the ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for the Work in all countries.

Legal Name of inventor: Joseph MacIvaine

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 24 day of NOVEMBER, 2014.

Signature: \_\_\_\_\_

*Signature before a Notary is desirable but not required.*

STATE OF CALIFORNIA

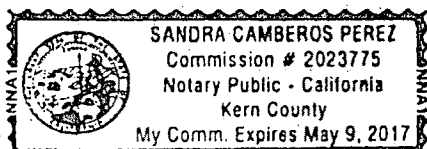
COUNTY OF KERN

ss.

On November 24, 2014 before me, Sandra Camberos Perez, notary public, personally appeared Joe MacIvaine who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~ subscribed to the within instrument, and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



**PATENT**

**REEL: 034703 FRAME: 0520**

COMBINED DECLARATION & ASSIGNMENT (37 CFR 1.63(e))

Application Data Sheet filed previously or concurrently

Docket No.: PAMO.007P

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Title: PARAMOUNT PISTACHIO ROOTSTOCK #4

Inventors: Joseph MacIvaine, Eric Mercure and John Etchamendy

Notary Signature

[SEAL]

Legal Name of inventor: Eric Mercure

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 24 day of November 2014.

Signature:

*Eric R. Mercure*  
Signature before a Notary is desirable but not required.

STATE OF CALIFORNIA

COUNTY OF KERN

ss.

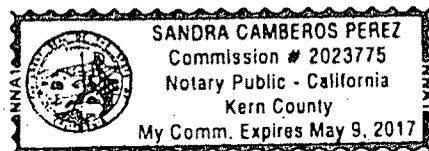
On November 24, 2014, before me, Sandra Camberos Perez, notary public, personally appeared Eric Mercure who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument, and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

*Sandra Camberos Perez*  
Notary Signature

[SEAL]



PATENT

REEL: 034703 FRAME: 0521

COMBINED DECLARATION & ASSIGNMENT (37 CFR 1.63(e))

Application Data Sheet filed previously or concurrently

Docket No.: PAMO.007P

Page 4 of 4

Title: PARAMOUNT PISTACHIO ROOTSTOCK #4

Inventors: Joseph MacIvaine, Eric Mercure and John Etchamendy

Legal Name of inventor: John Etchamendy

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 24 day of November, 2014.

Signature: [Signature]  
*Signature before a Notary is desirable but not required.*

STATE OF CALIFORNIA

COUNTY OF KERN

ss.

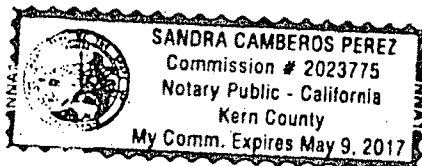
On November 24, 2014, before me, Sandra Camberos Perez, notary public, personally appeared Eric Mercure who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature]  
Notary Signature

[SEAL]



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### **Privacy Act Statement for Patent Assignment Recordation Form Cover Sheet**

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with the above request for information. This collection of information is authorized by 35 U.S.C. 1, 2, 261 and E.O. 9424. This information will primarily be used by the USPTO for the recordation of assignments related to patents and patent applications. Submission of this information is voluntary but is required in order for the USPTO to record the requested assignment. If you do not provide the information required on the cover sheet, the assignment will not be recorded, and all documents will be returned to you.

After the information is recorded, the records and associated documents can be inspected by the public and are not confidential, except for documents that are sealed under secrecy orders or related to unpublished patent applications. Assignment records relating to unpublished patent applications are maintained in confidence in accordance with 35 U.S.C. 122. Records open to the public are searched by users for the purpose of determining ownership for other property rights with respect to patents and trademarks.

Routine uses of the information you provide may also include disclosure to appropriate Federal, state, local, or foreign agencies in support of their enforcement duties and statutory or regulatory missions, including investigating potential violations of law or contract and awarding contracts or other benefits; to a court, magistrate, or administrative tribunal in the course of presenting evidence; to members of Congress responding to requests for assistance from their constituents; to the Office of Management and Budget in connection with the review of private relief legislation; to the Department of Justice in connection with a Freedom of Information Act request; to a contractor in the performance of their duties; to the Office of Personnel Management for personnel studies; and to the General Services Administration (GSA) as part of their records management responsibilities under the authority of 44 U.S.C. 2904 and 2906. Such disclosure to GSA shall not be used to make determinations about individuals.