

05-21-2001



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RECORDATION FORM COVER SHEET  
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TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

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- ☒ New
- ☐ Resubmission (Non-Recordation)  
Document ID #
- ☐ Correction of PTO Error  
Reel #  Frame #
- ☐ Corrective Document  
Reel #  Frame #

Conveyance Type

- ☐ Assignment ☐ License
- ☐ Security Agreement ☒ Nunc Pro Tunc Assignment
- ☐ Merger
- ☐ Change of Name
- ☐ Other

Effective Date  
Month Day Year  
07/26/2000

Conveying Party

☐ Mark if additional names of conveying parties attached

Name

Execution Date  
Month Day Year  
05/04/2001

Formerly

- ☐ Individual ☐ General Partnership ☐ Limited Partnership ☒ Corporation ☐ Association
- ☐ Other
- ☒ Citizenship/State of Incorporation/Organization

Receiving Party

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Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)

City State/Country

- ☐ Individual ☐ General Partnership ☐ Limited Partnership ☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)
- ☒ Corporation ☐ Association
- ☐ Other

☒ Citizenship/State of Incorporation/Organization

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TRADEMARK  
REEL: 002299 FRAME: 0178

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Correspondent Name and Address**

Area Code and Telephone Number

616-975-5500

Name

Donald S. Gardner

Address (line 1)

Van Dyke, Gardner, Linn & Burkhart, LLP

Address (line 2)

2851 Charlevoix Drive, S.E.

Address (line 3)

P.O. Box 888695

Address (line 4)

Grand Rapids, MI 49588-8695

**Pages**

Enter the total number of pages of the attached conveyance document  
including any attachments.

#

2

**Trademark Application Number(s) or Registration Number(s)**

☐

Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

**Trademark Application Number(s)**

**Registration Number(s)**


1939415	2293585	1914473
1946424		

**Number of Properties**

Enter the total number of properties involved.

#

4

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$

115.00

Method of Payment:

Enclosed

☒

Deposit Account

☐

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

22-0190

Authorization to charge additional fees:

Yes

☒

No

☐

**Statement and Signature**

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Donald S. Gardner

Name of Person Signing



Signature

May 10, 2001

Date Signed

## NUNC PRO TUNC ASSIGNMENT

WHEREAS, Bayer Corporation, a corporation of the State of Indiana, located and doing business at P.O. Box 390, Shawnee Mission, Kansas 66201-0390 (hereinafter referred to as "ASSIGNOR"), is the owner of the following trademarks which are registered in the United States Patent and Trademark Office in the indicated classes for the indicated goods:

<u>Trademark</u>	<u>Reg. No.</u>	<u>Reg. Date</u>	<u>Classes</u>	<u>Goods</u>
HERD-VAC	1,939,415	12/5/95	5	Veterinary vaccines for cattle
PREMIER	2,293,585	11/16/99	5	Vaccine for cattle
SOMNUTECH	1,914,473	8/29/95	5	Veterinary vaccines for cattle
PARVOTECH	1,946,424	1/9/96	5	Veterinary vaccines for swine

AND, WHEREAS, Biocor Animal Health Inc., a corporation of the State of Delaware, located and doing business at 2720 North 84<sup>th</sup> Street, P.O. Box 34325, Omaha, Nebraska 68134 (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the said trademarks, the accompanying goodwill, and the registrations thereof in the United States.

AND, WHEREAS, ASSIGNOR, Bayer Corporation, has previously transferred the said trademarks and their corresponding United States trademark registrations and the accompanying goodwill to ASSIGNEE, Biocor Animal Health Inc. in a separate document as of July 26, 2000, and now wishes to confirm such assignment to ASSIGNEE, Biocor Animal Health Inc.

NOW, THEREFORE, in consideration of and in exchange for the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR, Bayer Corporation, hereby confirms the sale, assignment and transfer to ASSIGNEE, Biocor Animal Health Inc., as of July 26, 2000, and does hereby sell,

assign and transfer to ASSIGNEE, the entire right, title and interest in and to the said trademarks in the United States of America, and the United States trademark registrations therefor as set forth above, together with the goodwill of the business symbolized by those marks for the indicated goods, as well as in and to any and all rights or causes of action now existing or existing as of July 26, 2000, arising out of past or present infringement or other trespass upon said marks, and all rights to costs, damages, profits, penalties and all other relief in respect thereof.

BAYER CORPORATION

May 4, 2001  
Date

[Signature]  
Name: WILLIAM G. FERGUSON  
Title: VICE-PRESIDENT + ASST GENERAL COUNSEL

Subscribed and sworn to before me this 4th day of May, 2001.

SEAL

[Signature]  
Notary Public

My Commission Expires:

April 23, 2005

