

04-09-2003



U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

Form PTO-1594  
(Rev. 10/02)  
CMB No. 0651-0027 (exp. 6/30/2005)

102413149

Tab settings

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): **4-7-03**  
**AVENTIS CROPSCIENCE S.A.**

Individual(s)       Association  
 General Partnership       Limited Partnership  
 Corporation-State  
 Other **Foreign corporation**

Additional name(s) of conveying party(ies) attached?  Yes  No

Nature of conveyance:  
 Assignment       Merger  
 Security Agreement       Change of Name  
 Other

Execution Date: **April 25, 2001**

2. Name and address of receiving party(ies)  
 Name: **SUMITOMO CHEMICAL CO., LTD.**  
 Internal Address: \_\_\_\_\_  
 Street Address: **5-33 Kitahama 4-chome**  
 City: **Chuo-Ku** State: **Osaka** Zip: **JAPAN**

Individual(s) citizenship \_\_\_\_\_  
 Association \_\_\_\_\_  
 General partnership \_\_\_\_\_  
 Limited Partnership \_\_\_\_\_  
 Corporation-State \_\_\_\_\_  
 Other **Foreign corporation**

If assignee is not domiciled in the United States, a domestic representative designation is attached:  Yes  No  
 (Designations must be a separate document from assignment)  
 Additional name(s) & address(es) attached?  Yes  No

FINANCE SECTION  
APR 7 11 20 03

A. Application number(s) or registration number(s):  
 Trademark Application No.(s) \_\_\_\_\_

Additional number(s) attached  Yes  No

B. Trademark Registration No.(s) **929,847; 999,892**

3. Name and address of party to whom correspondence concerning documents should be mailed:  
 Name: **Tyler J. Fuller, Esq.**  
 Internal Address: **Howard, Rice, Nemerovski, Canady, Falk & Rabkin, A Professional Corporation**  
 Street Address: **Three Embarcadero Center**  
**7<sup>th</sup> Floor**  
**San Francisco** State: **CA** Zip: **94111-4065**

6. Total number of applications and registrations involved: **2**

7. Total fee (37 CFR 3.41) ..... **\$65.00**  
 Enclosed; IF FOUND INSUFFICIENT, THEN  
 Authorized to be changed to deposit account

8. Deposit account number:  
**08-2792**

DO NOT USE THIS SPACE

9. Signature.

**TYLER J. FULLER**

Name of Person Signing

Signature

**March 31, 2003**

Date

Total number of pages including cover sheet, attachments, and document: **4**

Mail documents to be recorded with required cover sheet information to:  
 Commissioner of Patent & Trademarks, Box Assignments  
 Washington, D.C. 20231

04/09/2003 BTOM11 00000058 929847

01 FC:6521 40.00 OP  
02 FC:6522 25.00 OP

WD 021203/1-1427073/1056105/v1

**TRADEMARK**  
**REEL: 002707 FRAME: 0949**

TRADEMARK ASSIGNMENT AGREEMENT

25

April 2001 ~~February 2001~~ This Trademark Assignment Agreement is made and entered into as of the ~~20th~~ day of ~~February~~ 2001 by and between Aventis CropScience S.A., a French corporation located at 55, avenue Rene Cassin, 69009 Lyon, France ("Assignor") and Sumitomo Chemical Co., Ltd., a Japanese corporation located at 5-33, Kitahama 4-chome, Chuo-ku, Osaka, Japan ("Assignee").

RECITALS

WHEREAS, Assignor owns all right, title, and interest in and to the U.S. Trademark Registrations listed in Exhibit A attached hereto (the "Registrations"), the marks described in the Registrations (the "Marks"), and the goodwill of the business represented and symbolized by the Marks (the "Business"); and

WHEREAS, Assignee is the successor to the Business and wishes to acquire all right, title, and interest in and to the Registrations, the Marks, and the goodwill of the Business.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows.

1. **Assignment.** Assignor hereby assigns, conveys, and transfers to Assignee (and its successors and assigns) all of Assignor's right, title, and interest in and to the Registrations and the Marks, including without limitation all of the goodwill of the Business, all extensions and renewals of the Registrations, all common law rights in and to the Marks, the right to register, renew, protect, and defend the Marks and to sue for past, present, and future infringements of the Marks, the right to any other claims arising out of or relating to the use or ownership of the Registrations or the Marks, and all rights corresponding to the Registrations and the Marks throughout the world, effective as of the date first set forth above.

2. **Warranty.** Assignor represents and warrants that it is the sole owner of all right, title, and interest in and to the Registrations and the Marks, that it has not conveyed, licensed, or otherwise transferred any right or interest in the Registrations or the Marks to any third party, that it has not restricted or encumbered the Registrations or the Marks in any way, and that no party other than the Assignee hereafter retains any right, title, or interest in or to the Registrations or the Marks.

3. **Cooperation.** Assignor will cooperate with Assignee in filing documents with the U.S. Patent and Trademark Office (the "PTO") to record this Assignment with the PTO. Assignor will also do, execute, acknowledge, deliver, file, or record, or cause to be done, executed, acknowledged, delivered, filed, or recorded, all such further acts, deeds, assignments, transfers, conveyances, powers of attorney, instruments, and assurances as Assignee may reasonably request, or as may be required by the law of the United States or any foreign country, in order to convey the rights set forth in Section 1 (Assignment) above to Assignee.

4. **Counterparts.** This Trademark Assignment Agreement may be executed in one or two faxed or original counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

JH

IN WITNESS WHEREOF, the parties have caused this Trademark Assignment Agreement to be executed by their duly authorized representatives as of the date first set forth above.

AVENTIS CROPSCIENCE S.A.

SUMITOMO CHEMICAL CO., LTD.

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: Jean-Pierre POUSSET

Name: \_\_\_\_\_

Title: Proxy

Title: \_\_\_\_\_


**Aventis CropScience SA**  
Société Anonyme au capital de 429 700 100 Euros  
Siège social : 55, avenue René G...  
69009 LYON  
RCS Lyon 989 500 900  
Tél. : 04 72 85 43 21 - Fax : 04 72 85 43 03

**Exhibit A**  
**Registrations**

<b>Mark</b>	<b>Registration Number</b>	<b>Country</b>
BIOALLETHRIN	929,847	United States
ESBIOL	999,892	United States

## CERTIFICATE OF MAILING

I hereby certify that the *Recordation Form Cover Sheet* in regard to the *Trademark Assignment Agreement by and between Aventis CropScience S.A. and Sumitomo Chemical Co., Ltd.*, and a self-addressed, stamped postal-acknowledgment card are being deposited with the United States Postal Service as "Certified Mail—Return Receipt Requested," in an envelope addressed to "BOX ASSIGNMENTS—FEE, Commissioner of Patents and Trademarks, Washington, DC 20231," on **April 1, 2003**.

  
\_\_\_\_\_  
EVE M. GORNALL

HOWARD  
RICE  
NEMEROVSKI  
CANADY  
FALK  
& RABKIN

A Professional Corporation

April 1, 2003

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www.howardrice.com

Writer's Information:

Tyler J. Fuller  
tfuller@hrice.com

BOX ASSIGNMENTS—FEE  
Commissioner of Patents & Trademarks  
Washington, DC 20231

**VIA CERTIFIED MAIL**  
**Return Receipt Requested**  
**Our File No.: 14270.73**  
7001 2510 0008 2885 9358

**Re: *Recordation Form Cover Sheet for Trademark Assignment Agreement by and between Aventis CropScience S.A. and Sumitomo Chemical Co., Ltd.***

Dear Madam/Sir:

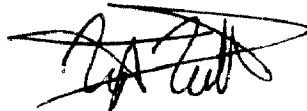
Enclosed for filing with the U.S. Patent and Trademark Office, please find the following documents in regard to the above mark:

1. *Recordation Form Cover Sheet*;
2. *Trademark Assignment Agreement*;
3. *Certificate of Mailing*; and
4. check in the amount of \$65.00.

Please acknowledge receipt of the enclosed materials by date-stamping and returning the enclosed postal-acknowledgment card. Further, please charge any underpayment or credit any overpayment to Deposit Account No. 08-2792.

If you have any questions in regard to the enclosed, please do not hesitate to contact me at (415) 434-1600.

Very truly yours,



Tyler J. Fuller

Enclosures

cc: Neil A. Smith, Esq.  
Eve M. Gornall, Trademark Administrator

Date of Deposit: April 1, 2003

I hereby certify that this paper or fee is being deposited as "Certified Mail—Return Receipt Requested" with the United States Postal Service on the date indicated above and is addressed to the BOX ASSIGNMENTS—FEE, Commissioner of Patents & Trademarks, Washington, DC 20231.

Eve M. Gornall  
EVE M. GORNALL