

RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

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

Form PTO-1594  
(Rev. 03/01)  
OMB No. 0651-0027 (exp. 5/31/2002)

Tab settings

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

1. Name of conveying party:

Eden Bioscience Corporation

- Individual(s)
- General Partnership
- Corporation-Washington
- Association
- Limited Partnership:
- Other:

Additional name(s) of conveying party(ies) attached?  yes  no

2. Name and address of receiving party(ies)

Name: Eden Foods, Inc.  
701 Tecumseh Road  
Clinton, Michigan 49236

- Individual(s) citizenship
- Association
- General partnership
- Limited Partnership
- Corporation - Michigan
- Other

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

3. Nature of conveyance:

- Assignment
- Security Agreement
- Merger
- Change of Name
- Other:

Execution Date: November 11, 2003

4. Application number(s) or registration number(s):

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

2,166,493; 2,184,768; 2,261,740

Additional number(s) attached  yes  no

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Christopher Kelly

Internal Address

Street Address: Wiley Rein & Fielding, LLP  
1776 K Street, N.W.

City: Washington State DC Zip 20006

6. Total number of applications and registrations involved:

7. Total fee (37 CFR 3.41) \$ 90.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number: 501129

(Attached duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and Signature.

To the best of my knowledge and belief, the ongoing information is true and correct and any attached copy is a true copy of the original document

Christopher Kelly  
Name of Person Signing

  
Signature

2/25/04  
Date

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

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

TRADEMARK

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REEL: 002801 FRAME: 0661

CH \$90.00 501129 2166493

## ASSIGNMENT

WHEREAS, Eden Bioscience Corporation, a Washington corporation, with offices located at 3830 Monte Villa Parkway, Suite 100, Bothell, Washington 98021 ("Eden Bioscience"), is the owner of all right, title and interest in and to the corporate and trading name EDEN BIOSCIENCE and the following trademark and service mark (and the corresponding federal registrations therefor):

Reg. No. 2,166,493 – EDEN BIOSCIENCE for "pesticides for agricultural or domestic use; plant inoculations to prevent disease and insects," issued June 16, 1998.

Reg. No. 2,184,768 – EDEN BIOSCIENCE for "plant growth regulators for agricultural use; plant flood," issued August 25, 1998.

Reg. No. 2,281,740 – EDEN BIOSCIENCE for "agricultural and horticultural analysis and consultation, namely, providing soil and plant tissue sampling, analysis, and written laboratory reports in connection therefor; providing plant food, pesticide, herbicide and fungicide use recommendations, nematode assaying, soil assaying, fungus assaying, plant tissue assaying; seed pathology, mycorrhizal assessment; plant tissue testing and analysis; providing and maintaining plant nutrient graphs for others for agricultural and horticultural purposes; agricultural and horticultural disease control," issued on September 28, 1999.

WHEREAS, Eden Foods, Inc., a Michigan corporation, located and doing business at 701 Tecumseh Road, Clinton, Michigan 49236 ("Eden Foods"), is desirous of acquiring the above-identified corporate and trading name, trademark and service mark (and the corresponding federal registrations therefor).

NOW, THEREFORE, for and in consideration of the mutual promises made herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Eden Bioscience hereby sells, conveys and assigns unto Eden Foods all right, title and interest in and to the above-identified corporate and trading name, trademark and service mark (and the corresponding registrations therefor), together with the goodwill of the business symbolized thereby. Eden Bioscience agrees to take any and all action and to execute any and all additional

EXHIBIT B  
TO SETTLEMENT AGREEMENT  
TRADEMARK


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documents that are deemed necessary by Eden Foods to implement and record this Assignment.

Eden Bioscience further assigns unto Eden Foods all right to sue for and to receive all damages accruing from past infringement of the above-identified corporate and trading name, trademark and service mark by third parties.

This Assignment shall be binding upon the parties, their successors and/or assigns, and all others acting by, through, with or under their direction and all those in privity therewith.

**EDEN BIOSCIENCE CORPORATION**

By   
Name: BRADLEY S. POWELL  
Title: CFO