

12-08-2003

12/4/03



Form PTO-1594

(Rev. 10/02)

OMB No. 0651-0027 (exp. 6/30/2005)

RECORDATION COVER SHEET

TRADEMARKS ONLY

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

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):

AVENTIS ENVIRONMENTAL HEALTH, INC.

- Individual(s)
- General Partnership
- Corporation-State Delaware
- Other
- Association
- Limited Partnership

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

3. Nature of conveyance:

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

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

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

A. Trademark Application No.(s)

B. Trademark Registration No.(s) **Please see Attachment to
Recordation Form Cover Sheet**

Additional number(s) attached Yes No

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

Name: **Johanna F. Sistek, Esq.**

Internal Address: **Howard, Rice, Nemerovski, Canady,
Falk & Rabkin, A Professional Corporation**

Street Address: **Three Embarcadero Center**

7th Floor

San Francisco State: **CA** Zip: **94111-4065**

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

11

7. Total fee (37 CFR 3.41)**\$245.00**

- Enclosed; IF FOUND INSUFFICIENT, THEN
- Authorized to be changed to deposit account

8. Deposit account number:

08-2792

RECEIVED
OPR/FINANCE
DEC -4 AM 7 03

DO NOT USE THIS SPACE

9. Signature.

JOHANNA F. SISTEK

Name of Person Signing

Johanna F. Sistek
Signature

12/2/03
Date

Total number of pages including cover sheet, attachments, and document: **5**

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

12/05/2003 6T011 0000078 062792 656981

01 FC:4521 40.00 BA
02 FC:4522 225.00 BA

WD 021203/1-1427073/1056109/v1

TRADEMARK
REEL: 002874 FRAME: 0357

**ATTACHMENT TO RECORDATION FORM COVER SHEET
FOR
ASSIGNMENT OF "AVENTIS ENVIRONMENTAL HEALTH, INC.,"
TO "SUMITOMO CHEMICAL CO., LTD."**

4.b. Registration No(s):

656,981
1,579,734
1,632,731
1,853,996
2,041,782
1,652,730
1,126,322
1,250,912
912,079
754,855

TRADEMARK ASSIGNMENT AGREEMENT

April, 2001
JH
This Trademark Assignment Agreement is made and entered into as of the ²⁵~~24~~ day of ~~February~~, 2003 by and between Aventis Environmental Health, Inc., a Delaware corporation located at 95 Chestnut Ridge Road, Montvale, New Jersey 07645, U.S.A. ("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**");

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; and

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.

JH

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.

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: *Houm*

By: _____

Name: Jean-Pierre Pousset

Name: _____

Title: Proxy

Title: _____

Aventis CropScience
Société Anonyme au capital de 100 000 000 €
Siège social : 55, avenue de l'Europe
69009 LYON
RCS Lyon 889 503 309
TEL : 04 72 85 43 21 - Fax : 04 72 85 43 63

Exhibit A
Registrations

Mark	Registration Number	Country
BUTACIDE	656,981	United States
CROSSFIRE	1,579,734	United States
CYPER-ACTIVE	1,632,731	United States
PYRAPERM	1,853,996	United States
TETRAPERM	2,041,782	United States
TRALEX	1,652,730	United States
TETRALATE	1,126,322	United States
ULTRATEC	1,250,912	United States
SBP-1382	912,079	United States
PRAMEX	754,855	United States

WD 021303/1-1427073/131/1056318/v1

Date of Deposit: _____, 2003

I hereby certify that this paper or fee is being deposited as first-class mail with the United States Postal Service on the date indicated above and is addressed to the Commissioner for Trademarks, BOX POST-REG—NO FEE, 2900 Crystal Drive, Arlington, VA 22202-3513.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Registrant:	Sumitomo Chemical Co., Ltd.
Mark:	BUTACIDE
Reg. No.:	656,981
Reg. Date:	February 29, 1972

BOX POST-REG—NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Madam/Sir:

**REVOCATION OF PRIOR POWER OF ATTORNEY
AND APPOINTMENT OF NEW ATTORNEY**

Registrant, Sumitomo Chemical Co., Ltd., hereby revokes all prior powers of attorney and appoints the following as its new attorneys of record: Carole F. Barrett, Neil A. Smith and Tyler J Fuller, admitted to practice before the Supreme Court of the State of California, and the law firm of Howard, Rice, Nemerovski, Canady, Falk & Rabkin, a Professional Corporation, Three Embarcadero Center, 7th Floor, San Francisco, California 94111.

Please direct all future correspondence concerning this matter to the address listed above, and all communications and inquiries relating to this application should be addressed to Neil A. Smith, Esq., at (415)434-1600.

WD 011503/1-1427073/1049849/v1

TRADEMARK
REEL: 002874 FRAME: 0362

DESIGNATION OF DOMESTIC REPRESENTATIVE

Sumitomo Chemical Co., Ltd., hereby appoints the firm of Howard, Rice,
Nemerovski, Canady, Falk & Rabkin, a Professional Corporation, Three Embarcadero Center, 7th
Floor, San Francisco, California 94111, as Registrant's domestic representative upon whom
notice or process in proceedings affecting the mark may be served.

Dated: November 7 2003

SUMITOMO CHEMICAL CO., LTD.

By: *Takashi Kuboyama*
Name: TAKASHI KUBOYAMA
Title: GENERAL MANAGER
INTELLECTUAL PROPERTY DEPARTMENT

01M 00176

Date of Deposit: _____, 2003

I hereby certify that this paper or fee is being deposited as first-class mail with the United States Postal Service on the date indicated above and is addressed to the Commissioner for Trademarks, BOX POST-REG—NO FEE, 2900 Crystal Drive, Arlington, VA 22202-3513.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Registrant: Sumitomo Chemical Co., Ltd.

Mark: CROSSFIRE (Stylized)

Reg. No.: 1,579,734

Reg. Date: January 30, 1990

BOX POST-REG—NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Madam/Sir:

**REVOCATION OF PRIOR POWER OF ATTORNEY
AND APPOINTMENT OF NEW ATTORNEY**

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WD 011503/1-1427073/1049849/v1

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Dated: November 7 2003

SUMITOMO CHEMICAL CO., LTD.

By: *Takashi Kuboyama*
Name: TAKASHI KUBOYAMA
Title: GENERAL MANAGER
INTELLECTUAL PROPERTY DEPARTMENT

Date of Deposit: _____, 2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Registrant:	Sumitomo Chemical Co., Ltd.
Mark:	CYPER-ACTIVE
Reg. No.:	1,632,731
Reg. Date:	January 22, 1991

BOX POST-REG—NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Madam/Sir:

**REVOCATION OF PRIOR POWER OF ATTORNEY
AND APPOINTMENT OF NEW ATTORNEY**

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Dated: November 7 2003

SUMITOMO CHEMICAL CO., LTD.

By: *Takashi Kuboyama*
Name: TAKASHI KUBOYAMA
Title: GENERAL MANAGER
INTELLECTUAL PROPERTY DEPARTMENT

Date of Deposit: _____, 2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Registrant: Sumitomo Chemical Co., Ltd.

Mark: PYRAPERM

Reg. No.: 1,853,996

Reg. Date: September 13, 1994

BOX POST-REG—NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Madam/Sir:

**REVOCATION OF PRIOR POWER OF ATTORNEY
AND APPOINTMENT OF NEW ATTORNEY**

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WD 011503/1-1427073/1049849/v1

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Floor, San Francisco, California 94111, as Registrant's domestic representative upon whom
notice or process in proceedings affecting the mark may be served.

Dated: November 7 2003

SUMITOMO CHEMICAL CO., LTD.

By: *Takashi Kuboyama*
Name: TAKASHI KUBOYAMA
Title: GENERAL MANAGER
INTELLECTUAL PROPERTY DEPARTMENT

01M 0024/

Date of Deposit: _____, 2003

I hereby certify that this paper or fee is being deposited as first-class mail with the United States Postal Service on the date indicated above and is addressed to the Commissioner for Trademarks, BOX POST-REG—NO FEE, 2900 Crystal Drive, Arlington, VA 22202-3513.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Registrant:	Sumitomo Chemical Co., Ltd.
Mark:	TETRAPERM
Reg. No.:	2,041,782
Reg. Date:	March 4, 1997

BOX POST-REG—NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Madam/Sir:

**REVOCATION OF PRIOR POWER OF ATTORNEY
AND APPOINTMENT OF NEW ATTORNEY**

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WD 011503/1-1427073/1049849/v1

TRADEMARK
REEL: 002874 FRAME: 0370

DESIGNATION OF DOMESTIC REPRESENTATIVE

Sumitomo Chemical Co., Ltd., hereby appoints the firm of Howard, Rice, Nemerovski, Canady, Falk & Rabkin, a Professional Corporation, Three Embarcadero Center, 7th Floor, San Francisco, California 94111, as Registrant's domestic representative upon whom notice or process in proceedings affecting the mark may be served.

Dated: November 7 2003

SUMITOMO CHEMICAL CO., LTD.

By: *Takashi Kuboyama*
Name: TAKASHI KUBOYAMA
Title: GENERAL MANAGER
INTELLECTUAL PROPERTY DEPARTMENT

Date of Deposit: _____, 2003

I hereby certify that this paper or fee is being deposited as first-class mail with the United States Postal Service on the date indicated above and is addressed to the Commissioner for Trademarks, BOX POST-REG—NO FEE, 2900 Crystal Drive, Arlington, VA 22202-3513.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Registrant:** Sumitomo Chemical Co., Ltd.**Mark:** TRALEX**Reg. No.:** 1,652,730**Reg. Date:** July 30, 1991

BOX POST-REG—NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Madam/Sir:

**REVOCATION OF PRIOR POWER OF ATTORNEY
AND APPOINTMENT OF NEW ATTORNEY**

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WD 011503/1-1427073/1049849/v1

**TRADEMARK
REEL: 002874 FRAME: 0372**

DESIGNATION OF DOMESTIC REPRESENTATIVE

Sumitomo Chemical Co., Ltd., hereby appoints the firm of Howard, Rice, Nemerovski, Canady, Falk & Rabkin, a Professional Corporation, Three Embarcadero Center, 7th Floor, San Francisco, California 94111, as Registrant's domestic representative upon whom notice or process in proceedings affecting the mark may be served.

Dated: November 7 2003

SUMITOMO CHEMICAL CO., LTD.

By: *Takashi Kuboyama*
Name: TAKASHI KUBOYAMA
Title: GENERAL MANAGER
INTELLECTUAL PROPERTY DEPARTMENT

Date of Deposit: _____, 2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Registrant:** Sumitomo Chemical Co., Ltd.**Mark:** TETRALATE**Reg. No.:** 1,126,322**Reg. Date:** October 30, 1979

BOX POST-REG—NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Madam/Sir:

**REVOCATION OF PRIOR POWER OF ATTORNEY
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WD 011503/1-1427073/1049849/v1

**TRADEMARK
REEL: 002874 FRAME: 0374**

DESIGNATION OF DOMESTIC REPRESENTATIVE

Sumitomo Chemical Co., Ltd., hereby appoints the firm of Howard, Rice,

Nemerovski, Canady, Falk & Rabkin, a Professional Corporation, Three Embarcadero Center, 7th
Floor, San Francisco, California 94111, as Registrant's domestic representative upon whom
notice or process in proceedings affecting the mark may be served.

Dated: November 7 2003

SUMITOMO CHEMICAL CO., LTD.

By: *Takashi Kuboyama*
Name: TAKASHI KUBOYAMA
Title: GENERAL MANAGER
INTELLECTUAL PROPERTY DEPARTMENT

Date of Deposit: _____, 2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Registrant: Sumitomo Chemical Co., Ltd.

Mark: ULTRA TEC (Stylized)

Reg. No.: 1,250,912

Reg. Date: September 13, 1983

BOX POST-REG—NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Madam/Sir:

**REVOCATION OF PRIOR POWER OF ATTORNEY
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Dated: November 7 2003

SUMITOMO CHEMICAL CO., LTD.

By: *Takashi Kuboyama*
Name: TAKASHI KUBOYAMA
Title: GENERAL MANAGER
INTELLECTUAL PROPERTY DEPARTMENT

Date of Deposit: _____, 2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Registrant:	Sumitomo Chemical Co., Ltd.
Mark:	SBP-1382
Reg. No.:	912,079
Reg. Date:	June 8, 1971

BOX POST-REG—NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Madam/Sir:

**REVOCATION OF PRIOR POWER OF ATTORNEY
AND APPOINTMENT OF NEW ATTORNEY**

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WD 011503/1-1427073/1049849/v1

**TRADEMARK
REEL: 002874 FRAME: 0378**

DESIGNATION OF DOMESTIC REPRESENTATIVE

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Nemerovski, Canady, Falk & Rabkin, a Professional Corporation, Three Embarcadero Center, 7th

Floor, San Francisco, California 94111, as Registrant's domestic representative upon whom

notice or process in proceedings affecting the mark may be served.

Dated: November 7 2003

SUMITOMO CHEMICAL CO., LTD.

By: *Takashi Kuboyama*
Name: TAKASHI KUBOYAMA
Title: GENERAL MANAGER
INTELLECTUAL PROPERTY DEPARTMENT

✓ 01M 00234

Date of Deposit: _____, 2003

I hereby certify that this paper or fee is being deposited as first-class mail with the United States Postal Service on the date indicated above and is addressed to the Commissioner for Trademarks, BOX POST-REG—NO FEE, 2900 Crystal Drive, Arlington, VA 22202-3513.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Registrant: Sumitomo Chemical Co., Ltd.

Mark: PRAMEX

Reg. No.: 754,855

Reg. Date: August 20, 1963

BOX POST-REG—NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Madam/Sir:

**REVOCATION OF PRIOR POWER OF ATTORNEY
AND APPOINTMENT OF NEW ATTORNEY**

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WD 011503/1-1427073/1049849/v1

**TRADEMARK
REEL: 002874 FRAME: 0380**

DESIGNATION OF DOMESTIC REPRESENTATIVE

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Dated: November 7 2003

SUMITOMO CHEMICAL CO., LTD.

By: *Takashi Kuboyama*
Name: TAKASHI KUBOYAMA
Title: GENERAL MANAGER
INTELLECTUAL PROPERTY DEPARTMENT

HOWARD
RICE
NEMEROVSKI
CANADY
FALK
& RABKIN

A Professional Corporation

December 2, 2003

Three Embarcadero Center
Seventh Floor
San Francisco, CA 94111-4024
Telephone 415.434.1600
Facsimile 415.217.5910
www.howardrice.com

Writer's Information:

Johanna F. Sistek
Direct: 415.399.3106
jsistek@howardrice.com

Mail Stop Assignment Recordation
Services
Director of the U.S. Patent & Trademark
Office
P.O. Box 1450
Alexandria, VA 22313-1450

VIA FIRST CLASS MAIL

**Re: *Recordal of Trademark Assignment from Aventis Environmental Health, Inc.,
to Sumitomo Chemical Co., Ltd.***
Our File No.: 14270.73

Dear Madam/Sir:

Enclosed for filing with the U.S. Patent and Trademark Office, please find the following documents:

1. *Recordation Form Cover Sheet and attachment;*
2. *Trademark Assignment Agreement;*
3. *Revocations of Prior Powers of Attorney and Appointment of New Attorney* including *Designations of Domestic Representative* for Reg. Nos. 656,981; 1,579,734; 1,632,731; 1,853,996; 2,041,782; 1,652,730; 1,126,322; 1,250,912; 912,079; and 754,855; and
4. *Self-addressed Post Card.*

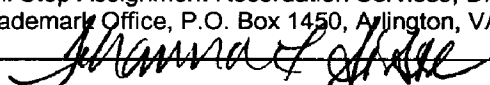
Please charge the recordal fee of \$265.00 to our firm's Deposit Account No. 08-2792. Please charge any additional fees necessary or credit any overpayments to the same deposition. Further, please acknowledge receipt of the enclosed materials by date-stamping and returning the enclosed postal-acknowledgment card.

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

Very truly yours,



Johanna F. Sisteck

Date of Deposit: <u>December 2, 2003</u>
I hereby certify that this paper or fee is being deposited as "First Class Mail with the United States Postal Service on the date indicated above and is addressed to Mail Stop Assignment Recordation Services, Director of the U.S. Patent & Trademark Office, P.O. Box 1450, Arlington, VA 22313-1450.


Enclosures