

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT
<b>NATURE OF CONVEYANCE:</b>	Declaration of Title Transfer as found to be sufficient by the 8&15 Examiner to show ownership

**CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
Dominion Biosciences, Inc.		08/06/2001	CORPORATION: VIRGINIA

**RECEIVING PARTY DATA**

<b>Name:</b>	Cleary Chemical Corporation
<b>Street Address:</b>	1049 Route 27
<b>City:</b>	Sommerset
<b>State/Country:</b>	NEW JERSEY
<b>Postal Code:</b>	08875-0010
<b>Entity Type:</b>	CORPORATION: NEW JERSEY

**PROPERTY NUMBERS Total: 1**

Property Type	Number	Word Mark
Registration Number:	2234465	ECOLOGIX

**CORRESPONDENCE DATA**

Fax Number: (330)376-9646  
*Correspondence will be sent via US Mail when the fax attempt is unsuccessful.*  
 Phone: 330-376-1242  
 Email: reginelli@rennerkenner.com  
 Correspondent Name: Arthur M. Reginelli  
 Address Line 1: First National Tower  
 Address Line 2: 4th Floor  
 Address Line 4: Akron, OHIO 44308

<b>ATTORNEY DOCKET NUMBER:</b>	CCC.T.US0006
<b>NAME OF SUBMITTER:</b>	Tama L. Drenski
<b>Signature:</b>	/Tama L. Drenski/

OP \$40.00 2234465

Date:

11/29/2005

**Total Attachments: 8**

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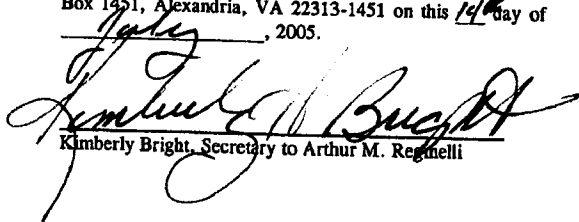
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the registration of )  
Cleary Chemical Corporation )  
Mark: ECOLOGIX )  
Reg. No. 2,234,465 )  
Reg. Date March 23, 1999 )  
Int. Class 005 )

CERTIFICATE OF MAILING

I hereby certify that this correspondence was deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451 on this 14<sup>th</sup> day of July, 2005.

  
Kimberly Bright, Secretary to Arthur M. Reganelli

Attorney Docket No. CCC.T.US0007

**DECLARATION OF TITLE TRANSFER UNDER 37 C.F.R. 2.20**

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

Dear Sir:


The undersigned does declare as follows:

1. That Cleary Chemical Corporation (Cleary) purchased all rights in the above-referenced trademark registration from Dominion Biosciences, Inc. (Dominion), and is therefore the sole owner of all rights and interest in the registration. The particulars of this title transfer are set forth hereinbelow.
2. That on or about August 15, 2001 Dominion and Cleary entered into an agreement that provided Cleary with an option to purchase all rights, title, and interest in the subject trademark. A copy of this agreement is attached as Exhibit A.

3. That on or about November 5, 2001, Cleary sent a letter enclosing a check and stating that Cleary was thereby exercising their option to purchase the subject mark. A copy of this letter is enclosed as Exhibit B.
4. That on or about December 5, 2001, Cleary received a letter from Dominion confirming receipt of the letter and check and acknowledging the purchase. A copy of this letter is enclosed as Exhibit C.
5. That the undersigned is authorized to act on behalf of Cleary Chemical Corporation.
6. That all statements made herein are of his/her own knowledge and are true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 19 of the United States Code, and may jeopardize the validity of this registration.

Cleary Chemical Corporation,

Dated: 12/21/05

  
(Signature)

Mary Ellen Warwick  
(Typed Name)

Vice President  
(Position)

**AMENDMENT TO LICENSE AGREEMENT**

**THIS AMENDMENT TO LICENSE AGREEMENT** ("Amendment") made as of August 15th, 2001 (the "Effective Date"), by and between **CLEARY CHEMICAL CORPORATION**, a New Jersey Corporation with its principal place of business at 178 Ridge Road, Dayton, New Jersey 08810 ("Cleary") and **DOMINION BIOSCIENCES, INC.** ("Dominion"), a Virginia corporation with its principal place of business at 1872 Pratt Drive, Blacksburg, Virginia 24060 (collectively, the "Parties").

WITNESSETH

REDACTED

**NOW, THEREFORE**, in consideration of Ten Dollars (\$10.00) by each of the parties to the other in hand paid, the sufficiency and receipt whereof is hereby acknowledged, the parties hereto agree as follows:

During the Term of this Agreement, Cleary has the exclusive option (the "Purchase Option") to purchase from Dominion, at the Purchase Price defined below, all assignable rights in the entire VTIP License Agreement and all rights and claims of ownership in:  
Ecologix registered trademark,

The Purchase Option must be exercised no later than November 30, 2001 by submitting written notice and the Purchase Price to Dominion. The exercise of the Purchase Option shall not affect Cleary's responsibilities for continued payment of the Technology Fee as specified in Subsection 4.2.

If Purchase Option is exercised by Cleary Purchase Price is:

On or before December 31, 2001

The Purchase Price is payable in full at the Purchase Option exercise or as follows:  
at Purchase Option exercise, and five (5) monthly payments of

each, due on the 1<sup>st</sup> of each month commencing on February 1, 2002 and running through June 1, 2002.

If Cleary chooses to pay the Purchase Price in installments as provided above, the Term of this Agreement will be deemed to have been extended until June 1, 2002. The failure to timely pay one or all of such installments shall give Dominion the right to terminate this Agreement and/or the Purchase Option under Subsection 5.2. Any and all installments previously paid to Dominion shall be considered to be part of the Technology Fee and will be deemed to be consideration for the extension of the Term of the Agreement and therefore, non-refundable. No rights assign or vest in Cleary until the Purchase Price is paid in full.

REDACTED

REDACTED


12. Time is of the Essence on all the terms of this Agreement.
13. This Amendment must be executed by Cleary and returned to Dominion on or before August 15<sup>th</sup>, 2001 or it is void.
14. To the extent not expressly modified hereby, all of the terms and conditions of the Agreement shall remain unchanged and in full force and effect, and the Parties hereby ratify and confirm the same.

[SIGNATURES TO FOLLOW]


REDACTED

IN WITNESS WHEREOF, Dominion and Cleary have caused their duly authorized representatives to execute this Agreement as of the day and year first above written.

**CLEARY CHEMICAL CORPORATION**

  
Name: Mary Ellen Waryck  
Title: Vice President  
Date: Aug. 6, 2001

**DOMINION BIOSCIENCES, INC.**

  
Name: Thomas L. Little  
Title: President  
Date: August 3, 2001



November 30, 2001

Mr. Tom Little  
Dominion Bioscience  
1872 Pratt Drive  
Blacksburg, Va 24060

Dear Tom:

Enclosed please find a check for \$50,000. This \$50,000. represents the purchase price as outlined in the agreement of August 2001.

Please see that the transfer of all EPA and state registrations, labels with supporting regulatory data and any other assets associated with NMD technology are begun so that they will be concluded by June 2002.

Thank you,

Mary Ellen Warwick  
Vice President

**Mary Ellen**

**From:** Thomas Little [tclittle@earthlink.net]  
**Sent:** Thursday, December 06, 2001 8:35 AM  
**To:** Mary Ellen  
**Cc:** Richard L. Conn  
**Subject:** Exercise of Option  
December 5, 2001

Mary Ellen Warwick  
Cleary Chemical Company

Dear Mary Ellen:

This is written confirmation that I have received your letter of November 30, 2001 and a check of \$50,000. This letter and check confirms your exercise of the option as specified in our Amendment to License Agreement of August 15, 2001.

I will look to Richard Conn for advice on transferring the California and EPA registrations in a timely manner consistent with the conditions specified in the Amendment.

I will also inform Mike Martin of Virginia Tech Intellectual Properties of your action. You will need to have a license from VTIP. I would think this can be done quickly once the conditions of our amended agreement have been satisfied.

Sincere best wishes,

Thomas C. Little  
President  
Dominion BioSciences