

UNIVERSITY OF HAWAI'I AT MÄNOA

GARY K. OSTHANDER, Ph.D.
VICE CHANCELLOH FOR RESEARCH
AND GRADUATE EDUCATION
E-mail: gko@hawaii.edu

20 June 2006

To Whom It May Concern:

On this day the University of Hawai'i is pleased to announce that on June 16, 2006 we filed three Terminal Disclaimers under 37 C.F.R 1.321 (a) in the United States Patent and Trademark Office against Patent Numbers PP12,722 P2 (Taro Plant name 'Pa'akala'), PP12,361 P2 (Taro Cultivar named 'Pa'lehua') and PP12,342 P2 (Taro Cultivar Named 'Paukea'.

As of that day, neither the University of Hawai'i nor anyone else has a proprietary or ownership interest of any kind in the three taro varieties. Therefore, anyone throughout the world may plant them, propagate them, sell or transfer the corms or the complete plants (the "huli") to others. They may also use the varieties to breed new cultivars as if the patents had never been filed.

Existing licensees no longer owe UH royalties on sales of the taro varieties, and may hereafter sell both the corms and huli to others without any accounting to UH of any kind. All the other terms of the licenses became null and void when the subject of the license - the patents - were disclaimed by UH.

The Declaimers are binding upon the grantee, its successors or assignees.

On behalf of the University of Hawai'i,

Gary K. Ostrander

Vice Chancellor for Research and Graduate Education University of Hawai'i-Manoa James Gaines

Wice President for Research University of Hawai'i System

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of:

Eduardo E. Trujillo

Patent No.:

PP12,772 P2

Issued:

07/16/2002

Entitled:

Taro Plant Named 'Pa'akala'

TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321 (a)

Attn. Certificate of Correction Branch Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date: June 16, 2006

Cliff Cannon-Cin

Dear Sir or Madam:

Petitioner, University of Hawaii, is the owner of one hundred percent (100%) interest in the instant patent by virtue of an Assignment from the Inventor, recorded at Reel 010350, Frame 0913. Petitioner hereby disclaims, the terminal part of the statutory term of the instant patent, which would extend beyond the date of submission of this document, June 16, 2006. This disclaimer is binding upon the grantee, its successors or assigns. Notwithstanding this disclaimer, no inferences should be made regarding claim validity.

The undersigned is an attorney or agent of record.

Dated:

June 16, 2006

Christine A. Lekutis Registration No. 51,934

MEDLEN & CARROLL, LLP 101 Howard Street, Suite 350 San Francisco, California 94105

The terminal disclaimer fee under 37 C.F.R. § 1.20(d) is included.

PTO/SB/17 (01-06)
Approved for use through 07/31/2008, OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

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Fees pursuant to the Consc				Application Nu	mber	09/426,560		
FEE TE			1L	Filing Date		10/22/99		
Fo	or FY 2	2006		First Named In	ventor	Eduardo E. Trujilk)	
				Examiner Name		Baker, W.		
Applicant claims small entity status. See 37 CFR 1.27						1661		
TOTAL AMOUNT OF PAYMENT (\$) 65.00						UH-03976		
METHOD OF PAYME	NT (check a	Il that apply)						
Check Credi	Card	Money Order	None	Other (please ide	entify):		
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Design	200	100	100	50	130			
Plant	200	100	300	150	160	80		
Reissue	300	150	500	250	600	300	-	
Provisional	200	100	0	0	0	0		
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ne (Print/Type) Christine	A. Lekutis	17.	-			Date June	16, 2006	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gethering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of:

Eduardo E. Trujillo

Patent No.:

PP12,361 P2

Issued:

01/22/2002

Entitled:

Taro Cultivar Named 'Pa'lehua'

TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321 (a)

Attn. Certificate of Correction Branch Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

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Date: June 16, 2006

By:

Cliff Cannon-Cin

Dear Sir or Madam:

Petitioner, University of Hawaii, is the owner of one hundred percent (100%) interest in the instant patent by virtue of an Assignment from the Inventor, recorded at Reel 010339, Frame 0143. Petitioner hereby disclaims, the terminal part of the statutory term of the instant patent, which would extend beyond the date of submission of this document, June 16, 2006. This disclaimer is binding upon the grantee, its successors or assigns. Notwithstanding this disclaimer, no inferences should be made regarding claim validity.

The undersigned is an attorney or agent of record.

Dated:

June 16, 2006

Christine A. Lekutis Registration No. 51,934

MEDLEN & CARROLL, LLP 101 Howard Street, Suite 350 San Francisco, California 94105

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The terminal disclaimer fee under 37 C.F.R. § 1.20(d) is included.

PTO/SB/17 (01-06)

Approved for use through 07/31/2006. OMB 0551-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

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Fees pursuant to the Conso				Application Nur	nber 09/4	125,785		
FEE TRANSMITTAL				Filing Date 10/		22/99		
Fo	or FY 2	2006		First Named Inv	rentor Edu	ardo E. Trujillo)	
						Baker, W.		
Applicant claims small entity status. See 37 CFR 1.27				Art Unit	166	1		
TOTAL AMOUNT OF PAYMENT (\$) 65.00				Attorney Docket No. UH-03977				
METHOD OF PAYME	NT (check a	all that apply)						
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Utility	300	150	500	250	200	100		
Design	200	100	100	50	130	65		
Plant	200	100	300	150	160	80		
Reissue	300	150	500	250	600	300		
Provisional	200	100	0	0	0	0		
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ne (Print/Type) Christine	A. Lekutis					Date June	16, 2006	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of:

Eduardo E. Trujillo

Patent No .:

PP12,342 P2

Issued:

01/08/2002

Entitled:

Taro Cultivar Named 'Pauakea'

TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321 (a)

Attn. Certificate of Correction Branch Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

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Date:

June 16, 2006

By

Cliff Cannon-Cin

Dear Sir or Madam:

Petitioner, University of Hawaii, is the owner of one hundred percent (100%) interest in the instant patent by virtue of an Assignment from the Inventor, recorded at Reel 010344, Frame 0963. Petitioner hereby disclaims, the terminal part of the statutory term of the instant patent, which would extend beyond the date of submission of this document, June 16, 2006. This disclaimer is binding upon the grantee, its successors or assigns. Notwithstanding this disclaimer, no inferences should be made regarding claim validity.

The undersigned is an attorney or agent of record.

Dated:

June 16, 2006

Christine A. Lekutis

Registration No. 51,934

MEDLEN & CARROLL, LLP 101 Howard Street, Suite 350 San Francisco, California 94105

The terminal disclaimer fee under 37 C.F.R. § 1.20(d) is included.

PTO/SB/17 (01-08)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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FEE TRANSMITTAL For FY 2006				Application Nur	mber	09/426,393	,393		
				Filing Date 10		0/22/99			
				First Named Inventor		Eduardo E. Trujillo			
				Examiner Name	e	Baker, W.			
✓ Applicant claims small entity status. See 37 CFR 1.27						1661			
TOTAL AMOUNT OF PAYMENT (\$) 65.00						UH-03978			
METHOD OF PAYME	NT (check a	all that apply)					R. 3.321 (
7 -		Money Order	None	Other (please ide	ntify):			
✓ Deposit Account	Deposit Acco	unt Number: 08-1290		Deposit A	ccount Na	ne: Medlen & Ca	arroll, LLP		
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I. BASIC FILING, SEA									
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Application Type	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (Small Entity S) Fee (\$)	Fees Paid (\$)		
Utility	300	The state of the s	500	250	200	100			
Design	200	100	100	50	130	65			
Plant	200	100	300	150	160	80			
Reissue	300		500	250	600	300			
Provisional	200	100	0	0	0	0			
2. EXCESS CLAIM FE	ES						Small Entity		
Fee Description						Fee (\$)	Fee (\$)		
Each claim over 20						50	25		
Each independent cl		(including Reissues	s)			200	100		
Multiple dependent	claims					360	180		
Total Claims	Extra Cla	ms Fee (\$)	Fee P	aid (\$)			pendent Claims		
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Other (e.g., late filin	g surcharg	e): Terminal Disclaime	r fee				65.00		
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me (Print/Type) Christine	A. Lekutis					Date June	16, 2006		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gethering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.