



UNIVERSITY OF HAWAI'I AT MĀNOA

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

20 June 2006

To Whom It May Concern:

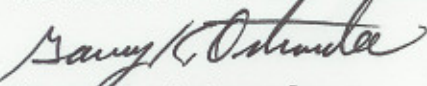
On this day the University of Hawai'i is pleased to announce that on June 16, 2006 we filed three Terminal Disclaimers under 37 C.F.R 1.321 (a) in the United States Patent and Trademark Office against Patent Numbers PP12,722 P2 (Taro Plant name 'Pa'akala'), PP12,361 P2 (Taro Cultivar named 'Pa'lehua')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

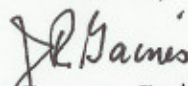
As of that day, neither the University of Hawai'i nor anyone else has a proprietary or ownership interest of any kind in the three taro varieties. Therefore, anyone throughout the world may plant them, propagate them, sell or transfer the corms or the complete plants (the "huli") to others. They may 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  
Vice 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

By: 

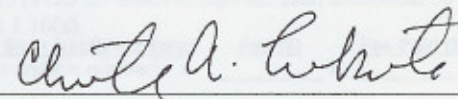
Cliff Cannon-Cin

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 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.

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2006

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 65.00

### Complete if Known

Application Number 09/426,560  
Filing Date 10/22/99  
First Named Inventor Eduardo E. Trujillo  
Examiner Name Baker, W.  
Art Unit 1661  
Attorney Docket No. UH-03976

### METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):

☒ Deposit Account Deposit Account Number: 08-1290 Deposit Account Name: Medlen & Carroll, LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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### FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
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	

#### 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>
- 20 or HP =	x	=
HP = highest number of total claims paid for, if greater than 20.		
<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>
- 3 or HP =	x	=
HP = highest number of independent claims paid for, if greater than 3.		

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

#### 4. OTHER FEE(S)

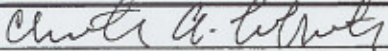
Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Terminal Disclaimer fee

Fees Paid (\$)

65.00

#### SUBMITTED BY

Signature		Registration No. 51,934 (Attorney/Agent)	Telephone 415/904-6500
Name (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.: PP12,361 P2  
Issued: 01/22/2002  
Entitled: Taro Cultivar Named 'Pa'lehua'

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

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Commissioner for Patents  
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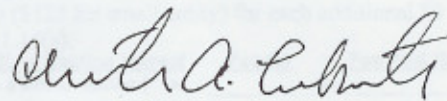
Cliff Cannon-Cin

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

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

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2006**☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 65.00

**Complete if Known**

Application Number	09/425,785
Filing Date	10/22/99
First Named Inventor	Eduardo E. Trujillo
Examiner Name	Baker, W.
Art Unit	1661
Attorney Docket No.	UH-03977

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):☒ Deposit Account Deposit Account Number: 08-1290 Deposit Account Name: Medlen & Carroll, LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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**FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
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	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Multiple Dependent Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 20 or HP =	x	=				

HP = highest number of total claims paid for, if greater than 20.

<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 3 or HP =	x	=	

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 100 =	/ 50 =	(round up to a whole number) x	=	


**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Terminal Disclaimer fee

65.00

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent)	51,934	Telephone	415/904-6500
Name (Print/Type)	Christine A. Lekutis	Date	June 16, 2006		

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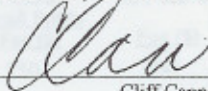
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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)**

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

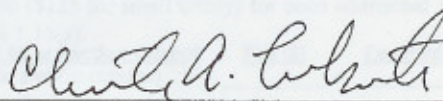
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Date: <u>June 16, 2006</u>	By:  Cliff Cannon-Cin

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

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**FEE TRANSMITTAL**  
**For FY 2006**☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 65.00

**Complete if Known**

Application Number 09/426,393

Filing Date 10/22/99

First Named Inventor Eduardo E. Trujillo

Examiner Name Baker, W.

Art Unit 1661

Attorney Docket No. UH-03978

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):☒ Deposit Account Deposit Account Number: 08-1290 Deposit Account Name: Medlen & Carroll, LLP

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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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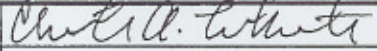
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Signature		Registration No. (Attorney/Agent) 51,934	Telephone 415/904-6500
Name (Print/Type)	Christine A. Lekutis		Date June 16, 2006

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